

Short-Term Rentals DCA212-002



City of Dallas

**Zoning Ordinance
Advisory Committee
(ZOAC)
October 4, 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.
- 12.2.2021 - initiated by City Plan Commission (CPC)



Case DCA212-010



- Consideration of amending Chapters 51 and 51A of the Dallas Development Code, with consideration to be given to amending Section 51-4.217, “Accessory Uses” and Section 51A-4.217 “Accessory uses” to define a new use called “Home-sharing” and related regulations.
- Discussed together with Case DCA212-002.



Updates – 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.



Accessory Use vs Accessory Dwelling Unit



- Accessory use is one that is “... customarily incidental to a main use.”
- Accessory Dwelling Unit is a “... rentable additional dwelling unit, subordinate to the main unit, located on a building site with a single family use.”



Updates – Accessory Use: Home-sharing



- Allow the use of a property for overnight accommodation of guests for fewer than 30 consecutive days *only* if there is a primary resident that resides at the property (established by homestead exemption, motor vehicle registration, voter registration, etc.).
- Cannot require that the operator be the primary resident, but can require that the primary resident gives written permission to the operator.



Updates – Parking



- Some cities include parking requirements:
 - San Antonio: minimum one space per rental unit
 - New Braunfels: minimum one space per sleeping room, cannot count garage
 - Arlington: limits parking to the number of off-street spaces on the property (registration ordinance, not zoning)



Updates – Regulations



- Add 6 STR or 10% of total units (whichever is less) maximum to multifamily properties in MF zoning districts (MF-2(A), MF-2(SAH), MF-3, MF-4).
- Prohibit the use of any unit as an STR on a property that has received and utilized a Mixed Income Housing Development Bonus under Section 51-4.900 or 51A-4.1100.



Updates – Parking



- Some cities include parking requirements:
 - San Antonio: minimum one space per rental unit
 - New Braunfels: minimum one space per sleeping room, cannot count garage
 - Arlington: limits parking to the number of off-street spaces on the property (registration ordinance, not zoning)



Updates – Largest US Cities



- New York City: up to 2 guests with access to full dwelling unit; host must be present.
- Los Angeles: Accessory home-sharing, as discussed
- Chicago: Owner Occupancy required for single family homes, cap of 25% or 6 (whichever is less) in multifamily buildings.
- Phoenix: No zoning regulations; STR must register and pay hotel occupancy tax
- Philadelphia: Accessory Use, residency required



Correction / Clarification



- **Owner Occupancy – Other City Standards**

- Many cities do not differentiate, but some that do follow:

- **San Antonio**

- San Antonio differentiates between owner or operator occupied, *not* non-owner occupied.
- Density limits for STRs apply only to non-owner or non-operator occupied STRs. (12.5%)
- Established by homestead exemption, voter registration, vehicle registration, lease agreement that expressly allows short-term rental, written permission from landlord, “or similar means.”
- San Antonio allows a tenant to operate a short-term rental as a Type 1 (no density limits) with written permission from the landlord.



Correction / Clarification



- **Owner Occupancy – Other City Standards**
 - Based on recent court rulings, the ability for a city to regulate owner-occupied STRs differently than non-owner occupied STRs is likely eliminated.



Proposed Amendment (from 8/16 motion)



SEC 51A-4.205. LODGING USES

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

(A) Definition: A full or partial dwelling 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 MF-2(A), MF-2(SAH), MF-3(A), MF-4(A), 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 dwelling 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) Except as provided in this paragraph, in MF-2(A), MF-2(SAH), MF-3(A), and MF-4(A) districts, a maximum of the lesser of six units or 10 percent of the total multifamily units located on a lot, parcel, or building site may be used as short-term rental lodging.

(v) 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.”



Next Steps



- **Make recommendation to City Plan Commission**
- **City Plan Commission reviews and makes recommendation to City Council, with amendments as discussed**
- **City Council has final authority to approve or modify the proposed ordinance.**



Short-Term Rentals DCA212-002



City of Dallas

**Zoning Ordinance
Advisory Committee
(ZOAC)**

August 16, 2022

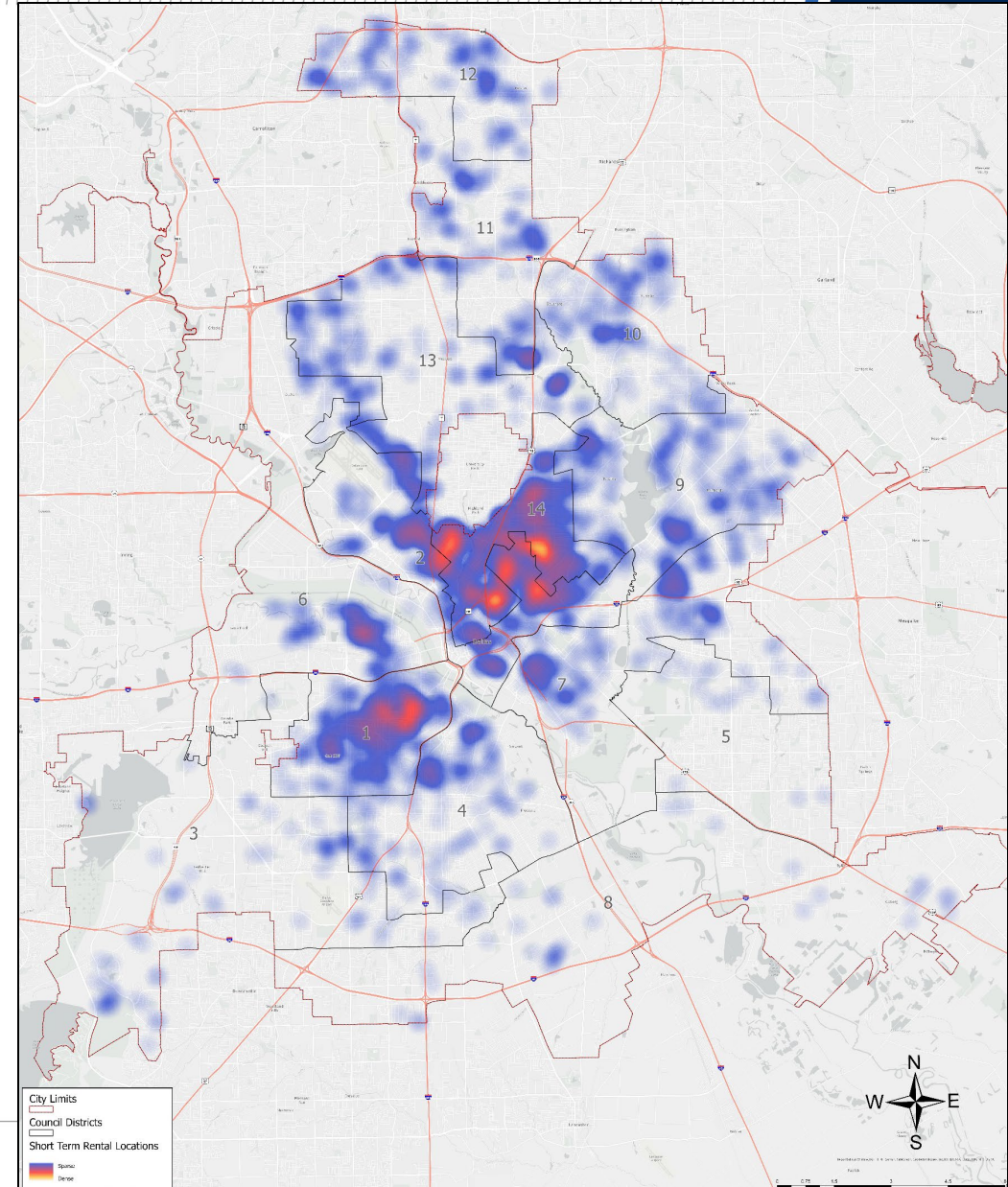
Planning & Urban Design
City of Dallas

Requests from ZOAC – 8.2.2022 Meeting



- Map of existing STRs

Short-Term Rentals by Council District		
Council District	Number of Active / Pending STRs	Council District Share of STRs
1	347	13%
2	458	18%
3	69	3%
4	114	4%
5	13	0%
6	128	5%
7	150	6%
8	31	1%
9	182	7%
10	104	4%
11	105	4%
12	107	4%
13	167	6%
14	637	24%
Total	2,612	



Requests from ZOAC – 8.2.2022 Meeting

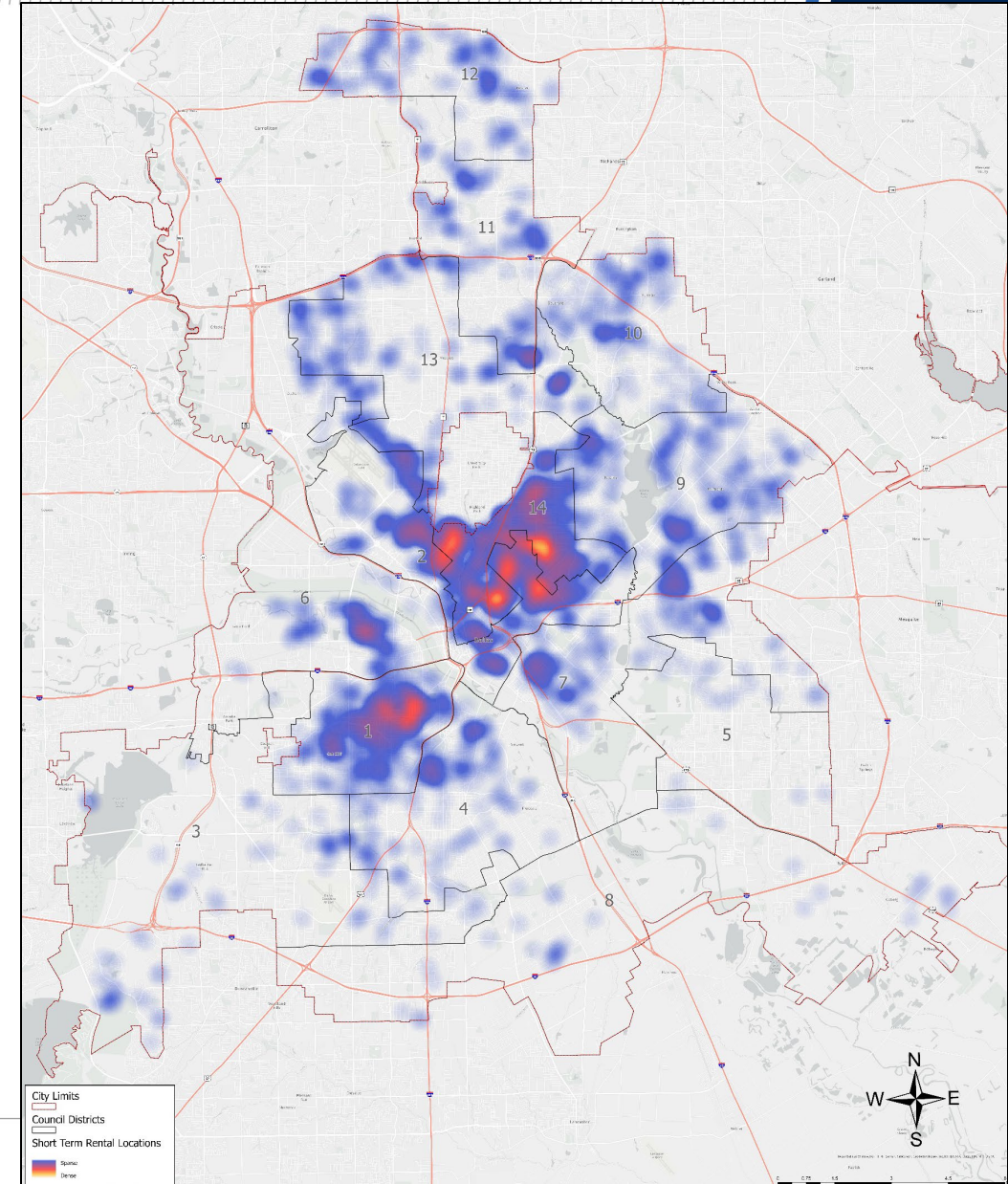


Map of existing STRs

Short-Term Rentals by Zoning District		
Zoning District	Number of Active / Pending STRs	Zoning District Share of STRs
A(A)	1	0%
CA-1(A)	18	1%
CD	146	6%
CH	1	0%
CR	23	1%
CS	7	0%
D(A)	80	3%
GO(A)	1	0%
IR	1	0%
LO-1	2	0%
MF-1(A)	84	3%
MF-2(A)	238	9%
MF-3(A)	6	0%
MU-1	7	0%
MU-2	15	1%
MU-3	6	0%
MU-3(SAH)	1	0%
NS(A)	2	0%
PD	919	35%

Short-Term Rentals by Zoning District		
Zoning District	Number of Active / Pending STRs	Zoning District Share of STRs
R-1/2ac(A)	7	0%
R-10(A)	94	4%
R-13(A)	4	0%
R-16(A)	34	1%
R-1ac(A)	4	0%
R-5(A)	119	5%
R-7.5(A)	711	27%
RR	3	0%
TH-1(A)	11	0%
TH-2(A)	24	1%
TH-3(A)	40	2%
WR-5	3	0%
Total	2,612	

Based on this analysis, prohibiting STRs from certain zoning districts as shown in Appendix 2 above would result in the prohibition of **48% - 54%** of current active or pending registration STRs in Dallas. The low end of this range assumes no Conservation Districts are amended to prohibit STRs, and the high end assumes all Conservation Districts prohibit STRs.



Requests from ZOAC – 8.2.2022 Meeting



- **Owner Occupancy – Other City Standards**

- Many cities do not differentiate, but some that do follow:
- **San Antonio**
 - Density limits for STRs apply only to non-owner occupied STRs. This limit is 12.5% per blockface or 12.5% per multifamily building.
 - Established by homestead exemption, voter registration, vehicle registration, “or similar means.”



Requests from ZOAC – 8.2.2022 Meeting



- **Owner Occupancy – Other City Standards**

- **Los Angeles**

- Only allows STRs to be operated as “home-sharing” by a “Host” in their “Primary Residence.”
- Residence is where the “Host” resides for more than 6 months of the calendar year.
- Established by Photo ID and voter registration, vehicle registration, health or auto insurance bill, paystub, homeowner’s exemption, or current lease agreement.



Requests from ZOAC – 8.2.2022 Meeting



- **Owner Occupancy – Other City Standards**

- **Denver**

- Only allows STRs as an accessory to a primary residential use, and owner must maintain the primary dwelling unit on the lot as their primary residence. (operator cannot lease main home and live in accessory dwelling unit)
- Established by Colorado state ID and two of the following:
 - Motor vehicle registration
 - Voter registration
 - Federal or state tax returns
 - Utility bill
 - Other legal documentation approved by the Director of the Denver Department of Excise and Licenses.



Requests from ZOAC – 8.2.2022 Meeting



- **Owner Occupancy – Other information**

- State Statute
 - In staff's research, there appears to be no conflict with any Texas state statute related to owner occupancy.
- Zoning regulations
 - Typical zoning regulations focus on the basic allowance of the STR use or concentration / density limits for STRs in a particular area.
 - When owner occupancy is not a base requirement for STR operation, owner occupied STRs are typically exempt from any density limit, while non-owner occupied STRs are required to comply with these limits.



Requests from ZOAC – 8.2.2022 Meeting



- **Owner Occupancy – Other information**

- STRs in legal dwelling units in non-residential zoning districts
 - Staff has revised the use table in Appendix 2 to reflect the Committee's discussion at the last meeting.
- Parking standards
 - In nearly all cases in Dallas, existing dwelling units have minimum parking requirements in place, typically one required space per single-family dwelling unit and one required space per bedroom for multifamily.
 - If more parking is desired, the Committee can make a recommendation on a minimum number of required spaces. Some cities required one space per sleeping room.



Requests from ZOAC – 8.2.2022 Meeting



- **Owner Occupancy – Other information**

- Parking standards (cont'd)

- **Arlington** limits parking to the number of off-street spaces that are present on the property. This is contained in the registration ordinance, not zoning ordinance.
- **San Antonio** requires a minimum of one parking space per rental unit.
- **New Braunfels** requires a minimum of one space per sleeping room, and a garage space is not counted towards this requirement.



Requests from ZOAC – 8.2.2022 Meeting



- **Owner Occupancy – Other information**
 - Purpose statement. Examples from other cities:
 - **San Antonio:** The purpose of this article is to establish regulations for the protection of the health and safety of occupant(s) of short term rental properties, and to protect the integrity of the neighborhoods in which short term rental properties operate.



Requests from ZOAC – 8.2.2022 Meeting



- **Owner Occupancy – Other information**

- Purpose statement (cont'd). Examples from other cities:
 - **Arlington:** The purpose of this Chapter is to safeguard the life, health, safety, welfare, and property of the occupants of residential dwelling units, the neighbors of said occupants, and the general public, through the regulation of short-term rental residential property. The intent of this Chapter is to preserve the neighborhood character of residential subdivisions within the City of Arlington and to minimize adverse impacts to the housing supply caused by the conversion of residential units to tourist or transient use.



Requests from ZOAC – 8.2.2022 Meeting



- **Owner Occupancy – Other information**
 - Purpose statement (cont'd). Examples from other cities:
 - **Los Angeles:** *Note – Home-sharing as an accessory use to residential.* The purpose of this subdivision is to allow for the efficient use and sharing of a residential structure which is a Host's Primary Residence, without detracting from the surrounding residential character or the City's available housing stock.



Requests from ZOAC – 8.2.2022 Meeting



- **Owner Occupancy – Other information**

- Purpose statement (cont'd). Examples from other cities:
 - **New Braunfels:** This section is intended to provide a procedure to allow the rental of private dwellings to visitors on a short term basis, while ensuring that such rental use does not create adverse impacts to surrounding neighborhoods due to excessive traffic, noise, and density. Additionally, this section is intended to ensure that the number of occupants within such rental units does not exceed the reasonable capacity of the structure to cause health and safety concerns, and that minimum health and safety standards are maintained in such units to protect visitors from unsafe or unsanitary conditions.





Zoning - Proposed Code Amendment to Chapter 51 and 51A



Zoning - Proposed Code Amendment



SEC 51A-4.205. LODGING USES _ (3) Short-term rental lodging.

(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:**

(C) **Required off-street parking:** One space/full or partial DU rented to occupants

(D) **Required off-street loading:** none

(E) **Additional provisions:**

(i) This use must comply with Chapter ##, “Short-term rentals” of the Dallas City Code. (Registration & Regulation Ordinance)

(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 [not a current use, but upcoming code amendment may create], 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.



Zoning - Proposed Code Amendment



- Zoning Districts:

MF-2-4(A), MO(A), GO(A), RR, ~~CS, LI, IR, IM*~~, central area, mixed-use, multiple commercial, and urban corridor districts.





	MF-1	MF-2	MF-3	MF-4	MO(A)	GO(A)	CA-1, CA-2	MU-1	MU-2 MU-3	UC	RR	CS	LI	IR	IM	MC
(I) Residential uses.						(up to 5% of the total floor area of any building)										
College dormitory, fraternity, or sorority house.	P	P	P	P	P	P*	P	P	P	S	P	P				P
Duplex.	P	P				P*	P	P	P							
Group residential facility (<i>distance limitations</i>)	P/S	P/S	P/S	P/S			P/S	P/S	P/S	S						
Handicapped group dwelling unit (<i>distance limitations</i>)	P/S	P/S					P/S	P/S		S						
Multifamily.	P	P	P	P		P*	P	P	P	P						
Retirement housing.	P	P	P	P			P	P	P	S						
Residential Hotel		P	P	P			P	P	P							
Single family.	P	P				P*	P	P								
(E) Lodging uses.																
Extended stay hotel or motel					S	S	S	S	S		S	S	S	S	S	S
Hotel or motel					RAR /S	RAR /S	P/S	RAR /S	RAR /S		RAR /S	RAR /S	RAR /S	RAR /S	RAR /S	RAR /S
Lodging or boarding house		P	P	P			P				P	P	P	P	S	
STR		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P



Responses for ZOAC previous direction



- **Provisions to regulate environmental performance (light, noise, security)**
 - Chapter 51A – Article VI
 - Noise: Set standards by decibel limit per type of zoning district + hours of different decibel limits allowable
 - Glare: limit lighting
 - *Within the Dallas Development Code*
 - *Daytime 7am to 10pm*
 - *Definitions: noise disturbance, how to measure sound pressure level avg*
 - *Noise level adjustments; reference to background noise; nighttime noise*

From 7.7.2022 Meeting



Responses for ZOAC previous direction



- **Provisions to limit STR in multifamily buildings/developments**
 - MU districts set standards for MUP with % for different uses counted towards MUP
 - Ex: min for lodging between 10 and 15%; min for residential between 10 and 15%
- **Provisions to regulate platforms**
 - Will be included in the Registration & Regulation Ordinance



From 7.7.2022 Meeting

Responses to ZOAC previous direction



Registration & Regulations Ordinance to accompany the newly created land-use as presented to City Council:

- Registration of the owner/host/agent
- Require STRs to obtain a license prior to platform listing within the City of Dallas
- Allow for the collection of fees to cover all costs
- 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
- 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
- No exemption from Single Family Registration if owner rents for periods greater than 30 days

From 7.7.2022 Meeting



Responses to ZOAC previous direction



Registration & Regulations Ordinance to accompany the newly created land-use as presented to City Council:

- Registration to be renewed annually or at the change of ownership
- Allow for inspections, including night inspections
- Self-certification program eligibility for good neighbor properties
- Host/owner/agent liability for failure to allow for inspections of short-term rental properties
- Revocation of license
- Minimum night stay of not less than two (2) days
- Occupancy limits from TX Property Code
- Include available parking and restrictions on platform listing
- Encourage the use of a noise monitoring device

From 7.7.2022 Meeting



Responses to ZOAC previous direction



Registration & Regulations Ordinance to accompany the newly created land-use as presented to City Council:

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

From 7.7.2022 Meeting



Request D212-002



- 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.
- 12.2.2021 - initiated by City Plan Commission (CPC)



Previous Progress



- 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
- 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



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 Packet



- City Council priority on STR regulations + 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.





Zoning - Proposed Code Amendment to Chapter 51 and 51A



Zoning - Proposed Code Amendment



- Create a new use: **Short-term rental lodging** in Section 51A-4.205 “Lodging Uses”
- Definition: **A full or partial dwelling unit that is rented to occupants for fewer than 30 consecutive days per rental period.**
- Zoning Districts: MF-2-4(A), MO(A), GO(A), RR, CS, LI, IR, IM*, central area, mixed-use, multiple commercial, and urban corridor districts. *(same as lodging or boarding house**)*



Zoning - Proposed Amendment (cont'd)



- Off-street parking: 1ps/full or partial dwelling unit that is rented.
- Additional Provisions:
 - Must comply with registration ordinance
 - Limitation to only one rental unit per dwelling unit
 - May not use the rental unit as any other use unless a valid CO is issued, and the use is allowed in the zoning district (*ex: not be used as CAI, event venue, ...*)
- *Would require a CO Certificate of Occupancy**





Code Compliance portion (for information purposes)



Proposed Registration Ordinance (fyi only)



Would require an operator to:

- Register annually and undergo (annual) inspections
- Pay registration fee
- Notify neighbors of the STR use
- Provide emergency contact information to the Code Compliance Department
- 1,500 feet distance between STRs; minimum distance between STR and schools
- Noise level regulation
- Allow for revocation of registration
- Enforcement measures: requirement for platforms to post STR registration numbers and prohibiting listings of unregistered properties.



Next Steps / Action



- Forward the proposed amendments to City Plan Commission for consideration.



Short-Term Rentals



City of Dallas

**Zoning Ordinance
Advisory Committee
(ZOAC)
June 23, 2022**

Planning & Urban Design
City of Dallas

Appendix – Use Tables



	4.205 Lodging Uses	Hotel or motel	Extended stay hotel or motel	Lodging or boarding house	Overnight general purpose shelter	Short-term rental lodging [proposed new use]
Residential	A(A)					
	R					
	D(A)					
	TH-1-3(A)					
	CH					
	MF-1 (A)					
	MF-1 (SAH)					
	MF-2(A)				P	P
	MF-2(SAH)				P	P
	MF-3(A)				P	P
	MF-4(A)				P	P
	MH(A)					

P: Use permitted by right

S: Use permitted by Specific Use Permit

**: Consult the use regulations in Division 51A-4.200*

DIR: Development Impact Review

RAR: Residential Adjacency Review

For information purposes only

Appendix – Use Tables



	4.205 Lodging Uses	Hotel or motel	Extended stay hotel or motel	Lodging or boarding house	Overnight general purpose shelter	Short-term rental lodging [proposed new use]
Nonresidential	NO(A)					
	LO(A)					
	MO(A)	*	*	S		P
	GO(A)	*	*	S		P
	NS(A)					
	CR	S	S		S	
	RR	*	*	S	P	P
	CS	*	*	S	P	P
	LI	*	*	S	P	P
	IR	*	*	S	P	P
	IM	*	*	S	S	S
	CA-1 (A)	*	*	S	P	P
	CA-2(A)	*	*	S	P	P
	MU-1	*	*	S		P
	MU-1 (SAH)	*	*	S		P
	MU-2	*	*	S		P
	MU-2 (SAH)	*	*	S		P
	MU-3	*	*	S		P
	MC-1	*	*	S		P
	MC-2	*	*	S		P
	MC-3	*	*	S		P
MC-4	*	*	S		P	
UC-1-UC-3						P
P(A)						

P: Use permitted by right

S: Use permitted by Specific Use Permit

**: Consult the use regulations in Division 51A-4.200*

DIR: Development Impact Review

RAR: Residential Adjacency Review

For information purposes only

Appendix – Other Lodging Uses



(1) Hotel or motel

(A) Definition: **A facility containing six or more guest rooms that are rented to occupants on a daily basis.**

(B) Districts permitted:

(i) Except as otherwise provided in Subparagraphs (B)(iii) or (B)(iv), by right in MO(A), GO(A), RR, CS, LI, IR, IM, central area, MU-1, MU-1(SAH), MU-2, MU-2(SAH), MU-3, MU-3(SAH) and multiple commercial districts.

(ii) By SUP only in the CR district.

(iii) By SUP only for a hotel or motel use that has 60 or fewer guest rooms.

(iv) If an SUP is not required, RAR required in MO(A), GO(A), RR, CS, LI, IR, IM, MU-1, MU-1(SAH), MU-2, MU-2(SAH), MU-3, MU-3(SAH), and multiple commercial districts.



Appendix – Other Lodging Uses



(1) Hotel or motel.

(C) Required off-street parking: One space for each unit for units 1 to 250; 3/4 space for each unit for units 251 to 500; 1/2 space for all units over 500; plus one space per 200 square feet of meeting room.

(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) Suite hotels may have kitchens in the guest rooms.



Appendix – Other Lodging Uses



(2) Lodging or boarding house.

(A) Definition: A facility containing at least one but fewer than six guest rooms that are separately rented to occupants.

(B) Districts permitted: By right in MF-2(A), MF-2(SAH), MF-3(A), MF-4(A), RR, CS, LI, IR, and central area districts. By SUP only in CR and IM districts.



Appendix – Other Lodging Uses



(2) Lodging or boarding house.

(C) Required off-street parking: One space for each guest room.

(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) The operator of this use may serve meals to the occupants.

(ii) This use may not have kitchens in the guest rooms.



Zoning / Land Use Best Practices



Cities differ in their approach to regulating STRs, with the main differences being:

- Cities that treat all STRs as commercial lodging uses, and
- Cities that treat *owner-occupied* STRs and *non-owner-occupied* STRs differently
- Owner-occupied STRs are ancillary to a primary residential use of the property
- Non-owner-occupied STR is a property of which the primary use is short-term rental.





Appendix – Comparison Cities

- All cities listed apply their short-term rental regulations to stays of fewer than 30 days.
- All cities listed require registration with the city.
- All cities listed require payment of a Hotel Occupancy Tax (or that state's equivalent tax).

[ZON] indicates that this standard is located in the city's zoning code.

[REG] indicates that this standard is located in the city's registration section.

City	Use Type	Allowed in SF	Owner Occupancy	Spacing	Parking	Other
Arlington	Specifically defined as a “residential premise, or portion thereof...” [ZON]	Yes, in RM-12 (medium density); RMF-22 (multifamily); all districts within the STR zone, centered on ATT Stadium; all non-res and mixed use dist. [ZON]	Not required / no standard	No standard	Limited to number of off-street spaces [REG]	Link



Appendix – Comparison Cities



- All cities listed apply their short-term rental regulations to stays of fewer than 30 days.
- All cities listed require registration with the city.
- All cities listed require payment of a Hotel Occupancy Tax (or that state's equivalent tax).

[ZON] indicates that this standard is located in the city's zoning code.

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City	Use Type	Allowed in SF	Owner Occupancy	Spacing / concentration	Parking	Other
Atlanta	Not specified.	Allowed in all zoning districts. [ZON]	Required. May operate only one additional STR. [REG]	No standard	No standard	Link



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City	Use Type	Allowed in SF	Owner Occ.	Spacing / concentration	Parking	Other
San Antonio	Residential. Specifically not a hotel or motel [ZON]	Yes, except smallest three districts (1,250 sf lots, 2,000 sf lots, 3,000 sf lots) [ZON]	Not required [ZON]	No restriction for owner-occupied; Maximum of 12.5% of the blockface (for single family) or 12.5% of the units in one building (for multifamily) for non-owner occupied [ZON]	One space per 'unit' [ZON]	Link



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City	Use Type	Allowed in SF	Owner Occ	Spacing / concentration	Parking	Other
Austin	Residential [ZON]	Yes, owner-occupied and non-owner occupied [ZON]	Not required	No standard for owner-occupied; Maximum of 3% of the census tract for non-owner occupied; maximum of 3% of the property and building in a multifamily development; maximum of 25% of the property and building in commercial districts [ZON]	No standard	Link



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City	Use Type	Allowed in SF	Owner Occupancy	Spacing / concentration	Parking	Other
Denver	Accessory to a residential use [ZON]	Yes – is an accessory to residential use [ZON]	Primary residential use required. [ZON]	No standard	No standard	Link



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City	Use Type	Allowed in SF	Owner Occ.	Spacing	Parking	Other
Los Angeles	"Home-Sharing" Accessory use to a residential use [ZON]	Yes - is an accessory use to residential. Maximum 120 nights / year unless approved for "extended" every night. [ZON]	Resident occupancy required; stays not required to be 'hosted' [ZON]	No standard	No standard	Link Los Angeles considers rentals for fewer than 30 days that are not associated with a permanent resident to be hotels



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City	Use Type	Allowed in SF	Owner Occupancy	Spacing	Parking	Other
Santa Monica	“home-sharing” accessory use to residential [REG]	Yes, accessory use to residential [REG]	Resident occupancy required [REG]	No standard	No standard	Link Santa Monica considers rentals of dwelling units for fewer 30 days that are not associated with a permanent resident to be “vacation rentals” and completely prohibits them

