



FARMERS
BRANCH

Short-Term Rental Discussion

Ordinance No. 3575



Current Situation as of 08/05/2019

61

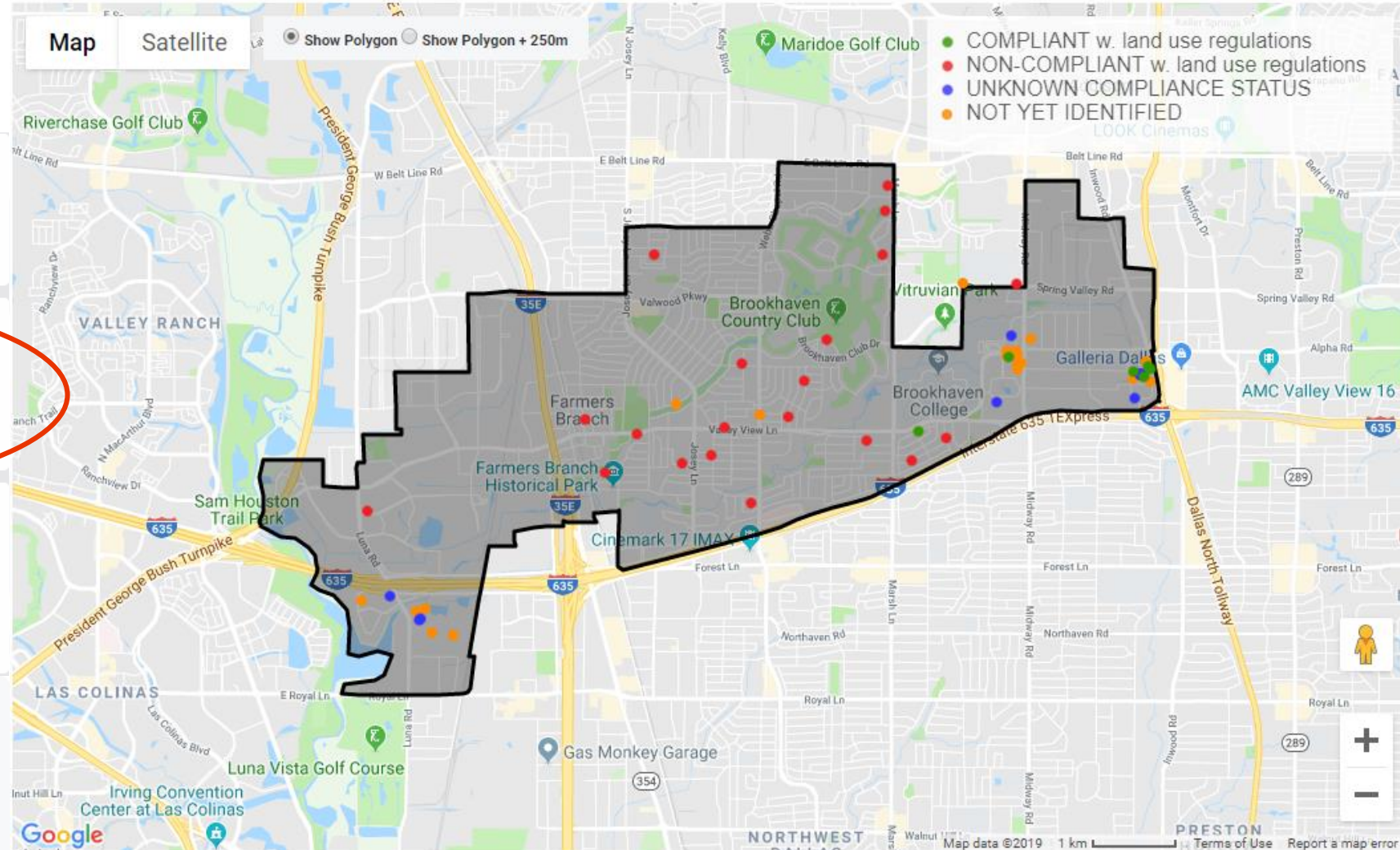
STR Rental Units in or near Jurisdiction

10

STR Rental Units Added Last Month

54.1%

STR Rental Units with Street Address Identified



Ordinance No. 3575 - Desired Outcomes

- Reduce noise, parking, traffic, and trash-problems
- Eliminate party houses
- Reduce STR's impact on neighborhood character
- Ensure building and renter safety
- Improve City's responsiveness to neighbor concerns
- Stem STR's negative impact on affordable housing availability
- Improve permit and tax compliance to increase tax revenue
- Ensure a level playing field between law-abiding traditional lodging providers and illegal short-term rentals
- Reduce tension between short-term rental property owners and their neighbors
- Send a clear message to citizens that the City takes the STR concerns seriously
- Build partnerships
- Increase our ability to correct concerns effectively and efficiently
- Continue to encourage guests to visit Farmers Branch

Ordinance No. 3575 – Update Review

- Defines short-term rental (Sec. 26-500)

Short-Term Rental means any single-family residence as defined in this Article leased or rented for a period of thirty consecutive days or less. This term does not include Hotels, Residence Hotels, boarding houses, or rooming houses as defined in Chapter 94, Article 7.3 of this Code.

- Defines a fine structure (Sec. 26-508)

Any person who shall violate a provision of this article or shall fail to comply with any requirements thereof, shall be guilty of a misdemeanor, and upon conviction thereof in Municipal Court, shall be punishable by a fine not more than two thousand dollars (\$2,000.00) for each offense. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- Provides for a licensing requirement (Sec. 26-501; multiple)
- Added language to link to the hotel occupancy tax (Sec. 26-505g; multiple)

Hotel/Motel Occupancy Tax. It shall be unlawful for a resident owner or nonresident owner to operate a Short-Term Rental without paying the required hotel/motel occupancy taxes pursuant to Chapter 78, Art. III of this Code.

Ordinance No. 3575 – New Updates

- Requires any rental to be for a minimum of **two consecutive** nights (Sec. 26-505e)

Minimum rental period. It shall be unlawful for an owner to lease a Short-Term Rental for less than two consecutive nights.

- Added multi-family dwelling to the definition of single family residence – this will guarantee hotel/motel taxes are collected for all short-term rentals (Sec. 26-500)

Multi-family dwelling or Apartment. Any building or portion of a building, which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or place of residence by three or more families living in independent dwelling units .

- Added **strong qualifiers** for suspending a short-term rental license (Sec. 26-502i)

as a direct result of the operation of the Short-Term Rental, the Short-Term Rental has been charged with violation of City ordinances relating to noise, parking, solid waste, or occupancy standards at least three times during one calendar year or been charged with a violation of any other state or federal law;

- Added an appeal process (Sec. 26-502j)

The owner of a Short-Term Rental whose license has been suspended or revoked according to Section 26-506 can appeal the suspension or revocation to the zoning board of adjustment by filing a written appeal with the City's building official within 30 days of the receipt of notice of the suspension or revocation. All appeals will go to the zoning board of adjustment for a hearing and final decision not later than 20 days after the appeal is filed.



Questions & Discussion