

ZONING TEXT AMENDMENT – SHORT-TERM RENTAL

GENERAL PROJECT INFORMATION

REQUEST: This is a city-initiated request for approval to amend the Comprehensive Zoning Ordinance (CZO) pertaining to the uses “Short-Term Rental” and “Bed and Breakfast.”

APPLICANT: City of Carrollton

SUMMARY: The purpose of the proposed revisions is to better regulate short-term rentals in Carrollton with zoning. On December 6, 2022, the City Council approved an amendment to Carrollton’s Code of Ordinances to better address short-term rentals and staff is proposing an amendment to the CZO to provide greater clarity and precision to the document in the Code of Ordinances for residents and developers.

Carrollton’s Code of Ordinances is a municipal code consisting of local laws, such as ordinances, bylaws, measures, and municipal codes. The CZO is a small part of the Code of Ordinances and should address short-term rentals as well. Prior to Council’s action on amending the Code of Ordinances, short-term rentals were considered the same as a bed and breakfast use.

The following CZO Articles V, XXI, and XXXIV, are proposed for amendment; text deletions are ~~red and struck-out~~ and text additions are red and underlined:

I. Article V. Use of Land and Structures (Use Table), Primary Uses, 3. Hotels and Transient Lodgings, amended in its entirety and shall hereafter read as follows:

Use Code	Type of Use	(IH)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(D)	(ALL MF DISTRICTS)	(MHP)	(O-1, O-2)	(O-3)	(O-4)	(LR-1)	(LR-2)	(CC)	(LC)	(HC)	(C/W)	(FWY)	(LI)	(HI)	DOWNTOWN TRANSIT CENTER				Trinity Mills TC	Frankford TC
																				Historic Square	Urban Core	Urban General	Urban Fringe		

<ul style="list-style-type: none"> • - Permitted Use [] - Prohibited Use * - Refer to Article XXXIV for definition 	<ul style="list-style-type: none"> S - Special Use Permit Required TSP - Technical Site Plan Required SDP - Special Development Plan 	<ul style="list-style-type: none"> A - Permitted as an Accessory Use T - Permitted as a Temporary Use 	<ul style="list-style-type: none"> Im - Permitted on Interim Basis Only _C - Conditional Use (See Art. XX.1)
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3. HOTELS AND TRANSIENT LODGINGS

72111	Hotel, Full Service (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *											S	XC	S	S	S	S	S	S	•	•	•		SDP	S
72111	Hotel, Residence or Hotel Suites (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *											S	XC	S	S	S		S	S						
72111	Hotel, Limited Service (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *											S	XC	S	S	S		S	S	•	•	•		SDP	S
721191	Short-Term Rental Bed and Breakfast Inn		S	S	S			S	S	S	S	S								•		•	S		
721191	Bed and Breakfast Home		S	S	S	S																			
7212	Recreational Vehicle Parks & Recreational Camps						•							S	S	S		S	S						
7213	Rooming & Boarding Houses					S																			

II. Article XXI. Special Use Permits, Section D, Special Conditions, 2(f) Hotel and Transient Lodging, shall be amended as follows:

Section D. Special Conditions

- The following shall be considered as minimum requirements to be met relative to a Special Use Permit for such specific uses. These requirements are not intended to repeal any other Section of this Article or Ordinance but shall be cumulative and additional to any other requirements of this Article and Ordinance.

f. HOTEL AND TRANSIENT LODGING

The following standards and criteria contained within this subsection are minimum required standards and shall apply to all lodging that is classified under ~~the 0300 Hotel and Transient Lodging category~~ Article V, Hotels and Transient Lodgings. ~~These provisions shall be effective December 1, 2008.~~

- i. Short-Term Rental and Bed and Breakfast ~~Home/Bed and Breakfast Inn~~
 - a) Short-Term Rental/Bed and Breakfast use must be evidenced by association with a ~~Bed and Breakfast Accommodation and Reservation Booking~~ Service, and the owner must provide proof of the collection and payment of State and local Hotel/Motel Occupancy Tax to the City upon request.
 - b) Rate:

A daily rate shall be charged, and no weekly or bi-weekly rates may be charged.
 - c) Accommodations/Operations:
 1. ~~A minimum of three and a maximum of six guest rooms are permitted.~~

No kitchens are allowed in rooms, i.e., no ovens, burners, or full-sized refrigerators. Microwave and/or under-counter refrigerators are permissible.
 2. ~~Leasing of a common area for social events is prohibited except when off-street parking is provided for a meeting/reception area per Article XXIV. Off-Street Parking and Loading Regulations of the Comprehensive Zoning Ordinance, and subject to the Noise Ordinance and all other applicable ordinances and regulations.~~
 3. ~~A manager shall be on-site of a Bed and Breakfast Home and Bed and Breakfast Inn at all times when occupied by guests.~~
 - d) Site Design:
 1. No vending machines are allowed outdoors.
 2. No commercial trash dumpsters are allowed for a Short-Term Rental or Bed and Breakfast ~~Home~~.
 - e) Building Elements (Bed and Breakfast Inns only):
 1. ~~A minimum of four elements from the following list shall be incorporated for all Bed and Breakfast Inn buildings:~~
 - a. ~~Awnings~~
 - b. ~~Canopies~~
 - c. ~~Ornamental cornices~~
 - d. ~~Aleoves~~
 - e. ~~Recessed Entries~~
 - f. ~~Pillar Posts~~
 - g. ~~Decorative lighting~~

~~h. Other building elements that contribute to the human scale of a building or character of the architectural design of the building~~

~~2. All facades or sides of Bed and Breakfast Inn buildings shall be designed with architectural style and building materials consistent with the front façade.~~

~~f)e)~~ Parking:

Parking at a Short-Term Rental or Bed and Breakfast must comply with Title IX, Chapter 97 of Carrollton Code of Ordinances relating to Parking Restrictions at a Short-Term Rental or Bed and Breakfast.

~~1. One off-street parking space per guest room and one off-street parking space per owner/proprietor shall be required.~~

~~2. All overnight parking shall be designated parking spaces.~~

~~3. Other than driveways and sidewalks, the front yard (the property from the front of the building to the street) shall not be paved.~~

~~4. All parking areas on the property (except driveways) shall be behind any building lines.~~

~~5. Tandem parking is permitted.~~

~~6. Stacked parking is permitted in driveways for a maximum of four vehicles.~~

~~g)~~ Landscaping:

~~Landscaping should contribute to the overall tranquility and serene setting of the establishment providing temporary, accommodations for guests in a residential setting. Benches, plantings, fountains and other private outdoor seating areas should be encouraged and some of these elements shall be incorporated into the site plan.~~

~~h)f) Signage: is limited to six square feet, either free-standing or attached to a building or mailbox, nonilluminated, and shall display only the name and phone number of the Bed and Breakfast Home or Bed and Breakfast Inn on it.~~

No ~~additional~~ outdoor advertising or signage is allowed.

~~i)g)~~ All minimum City requirements for Landscaping and Buffering, Off-Street Parking and Loading, Signs, and all other applicable ordinances, and as amended, shall be met, except where provided herein.

~~j)h)~~ Owner must secure a Lodging License ~~and obtain a Certificate of Occupancy~~ before operating a ~~Bed and Breakfast Home or a Bed and Breakfast Inn~~ Short-Term Rental or Bed and Breakfast. Owner must comply with Chapter 97 of the Carrollton Code of Ordinances

and maintain the Lodging License ~~and Certificate of Occupancy~~ in order to operate.

III. Article XXXIV. Definitions, Section B. Terms and Definitions, shall be amended to repeal the definitions for “Bed and Breakfast Home” and “Bed and Breakfast Inn” and establish the following definitions in their place, including adding a definition for Short-Term Rental:

BED AND BREAKFAST: A residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days and which is permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.

BOOKING SERVICE: Is any reservation and/or payment service provided by a person or entity that facilitates a hotel, short-term rental, or bed and breakfast transaction between the Owner and a prospective Occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the hotel, short-term rental or bed and breakfast transaction.

SHORT-TERM RENTAL: A residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days that is not permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.

CONCLUSION

Staff is recommending approval amending Articles V, XXI, and XXXIV, of the CZO.