

Date: March 10, 2023

To: City Council

From: Christina Day, AICP, Director of Planning

Subject: Update on Short Term Rentals

The purpose of this item is to provide an update to City Council regarding short-term rentals (STR).

On October 10, 2022, City Council directed staff to prepare a registration program and implement a process to consider changing zoning definitions and strengthening nuisance ordinances. The process conducted should be similar to that followed by the City of Arlington, Texas.

On November 14, 2022, City Council considered a short-term rental registration ordinance, but tabled the item to a future meeting.

On January 23, 2023, an update was made during City Council's preliminary open meeting.

On February 27, 2023, a City Council member asked for an ordinance restricting Short Term Rentals at the April 10, 2023 meeting; the request was seconded. The City Manager suggested adding an item on March 13, 2023 to discuss the content of said ordinance.

Since the update on January 23, 2023, the following has occurred:

- Deckard Technologies has been procured as provider of third-party STR data through efforts from Technology Solutions, Neighborhood Services, and Purchasing departments.
 - They are monitoring STR platforms and cross-referencing the information with publicly-available data to identify STRs in the city.
 - There were originally over 3,600 data points to review due to the number of platforms. Many data points are duplicative or inactive. As of March 6, 2023, the review is approximately 50% complete.
 - The STR information that Deckard has verified to-date was incorporated into Public Safety Communication's CAD (computer aided dispatch) system on March 6, 2023. This data will now allow the Police Department to start obtaining a more accurate analysis of the call-for-service data at verified STR properties.
- There is a contract with Gap Strategies as support for a public outreach process.
 - An internal meeting was held March 2, 2023 to initiate the process.
 - Gap Strategies is producing a timeline and survey questions the week of March 6. Staff will review and comment on the work product, then present a proposal to the City Council and the Planning & Zoning Commission.

Additional considerations:

- Zoning Amendment Timelines
 - Zoning ordinance amendments require a call for public hearing to initiate a zoning case, which is at least 36 days prior to consideration of an ordinance amendment by the Planning & Zoning Commission (P&Z).
 - There is typically a three-week delay after P&Z, before City Council consideration of a zoning case, in which additional notice is given and comments are taken.
 - A joint meeting of the P&Z and City Council may be utilized to expedite consideration (avoiding the additional three weeks), but the ordinance requires a minimum of 36-days-notice for any changes to property rights via zoning amendment.
- Legislation Pending – A bill has been filed with the State Legislature, HB2665, that would preempt zoning action. It would allow registration, permitting, and revocation of a permit for noncompliance with ordinances regulating noise, parking, or trash disposal that are uniformly-applicable to all residential uses (not only STRs).