



# MEMO

**DATE:** November 7, 2023

**FROM:** Anna Hudson, Director of Development Services

**SUBJECT:** Summary of Adopted STR Ordinance 2024

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This serves as a summary of the newly adopted "2024 STR Ordinance". The adopted version of the ordinance will be available on the City's STR webpage by November 14.

<https://www.fbgtx.org/845/Short-Term-Rentals>

## Zoning:

- R2 zoning to be treated similar to R1 (no new unoccupied, no new facilities)
- No new STR-Condominium
- R3- no type of STR allowed
- Special Exceptions will be handled by Zoning Board of Adjustments instead of Conditional Use Permits by City Council and Planning & Zoning Commission
- Special Exceptions available for:
  - R1 and R2 Unoccupied "stranded properties" must share two property lines with STR-unoccupied or C2, CBD zoning or Public Facility Zoning excluding schools, and 50% of other properties within 200' radius must have STR-unoccupied permit or C2, CBD or Public Facility zoning to be able to apply for the Special Exception.
  - Expanding occupancy or parking requirement exception.
  - STR on first floor in historic shopping district

## Permits:

- Can be transferred within 90 days of sale of property.
- Non-conforming or "grandfathered" permits may continue to operate and transfer.  
**Must come into compliance with all new requirements except parking and occupancy at time of permit renewal.**
  - Existing permits must come into compliance with the following: life safety, 24-hour contact, signage, food service, host rules, conduct on premises, duration of rental, hotel occupancy tax, application information, and advertising.
- Inspections: yearly for renewal and upon transfer or after modifications, or violations

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- Parking: 1 space required per bedroom. Tandem parking is allowed. On-street parking is still allowed, but no credit given towards minimum requirements.
- Max occupancy of 12 (all persons count towards occupancy).

**Enforcement:**

- 3 minor violations (such as watering, trash, advertising, lighting) count as 1 Major Violation. 3 Major violations (related to health and safety, occupancy, noise, a failure to update application information, an unresponsive 24-hour contact, non-remittance of hotel occupancy tax, unlawful advertisements, and operations without a permit) within 12 months will require City Council review and permit may be suspended for up to 90 days.
- Lack of H.O.T. remittance results in 90-day suspension of permit.

**Effective date: January 1, 2024**

During the time between adoption date and effective date of the ordinance staff will:

- go live with new STR Permitting software, MyGovNow;
- update website, educational materials, and STR newsletter with new regulations;
- train Zoning Board of Adjustment on new Special Exception provisions
- continue to process renewals, transfers, and new permits under 2022 ordinance.