



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
www.cityofdenton.com

## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Cassey Ogden

**DATE:** September 24, 2024

### **SUBJECT**

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code, regarding short-term rental use regulations and definitions, specifically amendments to Table 5.2-A- Table of Allowed Uses, Subsection 5.3.1 Use-Specific Standards – Generally, Subsection 5.3.5: Commercial Use-Specific Standards, Table 7.9-I Parking, and Section 9.2: Definitions; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [5-0] to recommend approval of the request. Motion for approval was made by Commissioner Villareal and seconded by Commissioner Pruet. STAFF IS REQUESTING THIS PUBLIC HEARING BE CONTINUED TO THE OCTOBER 22, 2024 CITY COUNCIL MEETING. (DCA23-0002k, Short-Term Rentals, Angie Manglaris)

### **BACKGROUND:**

**Staff is requesting this item be continued to a date certain of October 22, 2024, in order to allow additional time for proper public hearing notification. Discussion, direction, and possible action regarding the proposed amendments will be postponed to the October 22, 2024, City Council meeting at which time a full public hearing can occur. Since this item has been noted on prior City Council meeting agendas as being continued to the September 24, 2024 meeting date, at this meeting staff will present the proposed process that will be undertaken as it relates to consideration of the proposed ordinance amendment. The proposed process is as follows:**

- September 24, 2024: While this was advertised as a Public Hearing for this meeting date, there will be no staff presentation regarding the proposed code amendments, Council deliberation, nor action taken in order to allow additional time for public hearing notification (i.e. legal notice published in the newspaper). It is possible that any public comment received during this meeting may not be fully relevant to the final ordinance that is presented to City Council on October 22, 2024, as there is potential for revised direction to be received from City Council at their Work Session on October 15, 2024. Members of the public wanting to speak at the September 24, 2024 meeting may want to reserve their comments until the October 22, 2024 meeting date should their position change related to the proposed code amendments, following receipt of any further direction from City Council at their October 15, 2024 Work Session.
- October 15, 2024: During Work Session, staff will be giving a presentation of the proposed code amendments as recommended by the Planning and Zoning Commission and comments received from the public thus far related to the proposed amendments. City Council could give staff direction at this Work Session to make changes to the proposed code amendments in advance of the October 22, 2024 meeting date.

- October 22, 2024: Full staff presentation regarding the proposed ordinance amendments, public hearing to allow for public comment on the proposed ordinance, and Council deliberation and potential action.

At the July 23, 2024 City Council Meeting, City Council considered the proposed amendments for the second time, held a public hearing, and voted [3-3] to recommend approval of the proposed amendments to the DDC as presented related to Short-Term Rental uses. In accordance with the City Council’s adopted rules of procedure in Code of Ordinances Section 2-29(g)(5), due to the tie vote, this item has automatically been placed on all meeting agendas leading up to the September 24, 2024 City Council agenda. However, as noted above, no action will be taken at this meeting in order to ensure proper public hearing notice is given. In addition to the broad public notification process for the Short-Term Rental code amendments that has been done by providing a mailed notice to property owners, staff is also re-publishing the standard legal notice in the newspaper as required by state law in advance of the October 22, 2024 meeting. As stated above, staff will provide an overview of the proposed amendments during the Work Session on October 15, 2024, and the item will be placed on the October 22, 2024 City Council meeting agenda for further consideration and potential action, as well as a public hearing.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

<b>Date</b>	<b>Council, Board, Commission</b>	<b>Request</b>	<b>Action</b>
April 23, 2019	City Council	Consider 2019 DDC Update	Approved with an effective date of October 1, 2019
March 13, 2023, March 27, 2023, April 10, 2023, and April 24, 2023	Development Code Review Committee	Consider amendments related to Short-Term Rental uses	Continued discussion at next meeting
June 12, 2023	Development Code Review Committee	Consider amendments related to Short-Term Rental uses	DCRC instructed staff to prepare a Public Engagement Plan in order to receive input from the community
July 19, 2023	Planning and Zoning Commission	Consider amendments related to Short-Term Rental uses removing the primary residency requirement	Recommended approval
July 25, 2023	City Council	Consider amendments related to Short-Term Rental uses removing the primary residency requirement	Approved
September 25, 2023	Development Code Review Committee	Review proposed amendments and results of Public Engagement Survey	Continued discussion to next meeting
October 23, 2023 November 13, 2023, and	Development Code Review Committee	Consider amendments related to Short-Term Rental Uses	Continued discussion to next meeting

December 11, 2023			
January 8, 2024	Development Code Review Committee	Consider amendments related to Short-Term Rental Uses	DCRC directed staff to proceed with amendments as presented
February 28, 2024	Planning and Zoning Commission	Consider amendments related to Short-Term Rental Uses	Continued public hearing to March 20, 2024
March 20, 2024	Planning and Zoning Commission	Consider amendments related to Short-Term Rental Uses	Recommended approval [7-0]
May 29, 2024	Planning and Zoning Commission	Consider amendments related to Short-Term Rental Uses	Recommended approval [5-0]
June 4, 2024	City Council	Consider amendments related to Short-Term Rental Uses	Continued to July 23, 2024 [7-0]
July 23, 2024	City Council	Consider amendments related to Short-Term Rental Uses	Recommended approval – resulted in a tie vote [3-3]
August 6, 2024	City Council	Consider amendments related to Short-Term Rental Uses	No action was taken at this meeting in order to ensure proper public hearing notice is given.
August 20, 2024	City Council	Consider amendments related to Short-Term Rental Uses	No action was taken at this meeting in order to ensure proper public hearing notice is given.
September 17, 2024	City Council	Consider amendments related to Short-Term Rental Uses	No action was taken at this meeting in order to ensure proper public hearing notice is given.

**EXHIBITS**

Exhibit 1 – Agenda Information Sheet

Exhibit 2 – Presentation

Respectfully submitted:

Tina Firgens, AICP

Deputy Director of Development Services/Planning Director

Prepared by:

Angie Manglaris, AICP

Development Review Manager