



UNIVERSITY PARK CITY COUNCIL AGENDA MEMO

Meeting Date:
4/15/2025

Item Type:
Discussion Item

Subject: Receive an update regarding options on Occupancy Standards relative to student rentals in single family residential zoning districts.

Prepared By: Patrick Baugh

Update:

This issue was initially presented and discussed February 18, 2025. Staff was directed to continue efforts on identifying the best, most effective option to pursue. This update provides the efforts taken and recommends a singular, intensive effort to improve tenants' poor judgement and behavior and reduce resulting negative impacts.

Staff met internally to compare available measures that would address perceived and observed behavioral issues possibly stemming from similar lifestyle occupants of various rental properties. SMU Police Department staff were also included in these meetings. Concurrent with staff meetings were discussions with residents pursuing similar efforts with City elected and appointed officials. The combined conversations resulted in the following decisions:

- A. The complexity, expense and far-reaching impacts of a rental property regulatory program of registration, licensing and inspection precipitated a decision to delay such until an effort as outlined in Item C below has had ample time to produce desired results.
- B. Similarly, a program offering potential civil penalty for 'over-occupancy' of a dwelling based on quantity, proximity and duration/regularity of motor vehicles at or about such dwelling (College Station model) was also set aside, pending results of Item C.
- C. The outcome of potential over-occupancy of a dwelling by young adults has been observed to be behavioral issues such as noise, trash, illegal parking and general site conditions that are incongruent to more typical, reserved and respectful behavior within family-oriented neighborhoods. Addressing those outcomes with extremely low or no tolerance in enforcement is effective and may be implemented immediately. An action plan has been considered and is offered as:
 - 1. Identify the areas of the city that have the greatest frequency of troublesome behavior.
 - 2. Classify the identified areas as Low Tolerance Districts (LTD).
 - 3. Unlike historical and current practice, only the initial 10-calendar-day notice will be provided to allow the notice recipient to demonstrate he/she is not the owner of the real property cited or abate the violation. A Citation will be issued on the tenth day after the notification date. Citations will be presented to the Municipal Court. No delay or extension of time shall be granted to abate the violation. The alleged

- violator will then experience discomfort from interruption of typical routines to address window fines, arrange hearings, schedule trials or pursue other legal remedy. This path will provide the most efficient use of staff resources and impose disruptive pressures upon alleged violators similar to the disruptive behavior imposed upon the neighborhood.
4. It can be expected that the LTD initiative will impact typical family neighborhood residents that will experience the exact same low tolerance measures because of their behavior in the LTD. For equal treatment throughout the geographical LTD, this may seem harsh and overbearing to the resident, however; such collateral result should be expected.
 5. All Notices and Citations will be copied to the SMU Police Department and the SMU Division of Student Affairs.
 6. This action plan will be further detailed for implementation prior to the beginning of the Fall 2025 Semester (first day of classes August 25, 2025)
 7. Proposed LTD maps are provided below/attached. District boundaries may be expanded or contracted, by full block area, based on demand.

Recommendation:

Staff recommends initiation of the above-described Low Tolerance District action plan on this issue of occupancy standards and related nuisance violations.

Information from the February 18, 2025 meeting-

Background:

Recurring isolated complaints of violations of various nuisance ordinances have been received in different departments in the city, particularly Code Enforcement and Police. The persons suspected of, or observed engaging in, producing the nuisances are assumed to be students of SMU. Further, there is some train of thought that if students did not live together as occupants of the same dwelling, the neighborhood of single family occupied housing would be more in harmony and with fewer nuisance occurrences.

Staff has researched other cities, nationwide, with similar private institutions of higher education for comparison. Nuisance behavior found in University Park seems to be common throughout the states, The exceptions are those cities with the good fortune to have all university students living on campus property.

This agenda discussion item will provide staff the opportunity to present a brief overview of the cities included in the review, what their status is, what they are doing or have done and what degree of success they believe they have achieved in striving for single family neighborhood bliss. Options will be presented on current and potential actions and staff seeks Council direction on what, if any changes are warranted at this time.

Fiscal Impact:

- ☒ Not Applicable
- ☐ Budget Amendment Required
- ☐ Proposed Revenue
- ☐ Proposed Expenditure

Funding Source:

Master Plan Goal:

Please check the associated Theme and provide the corresponding action item number.



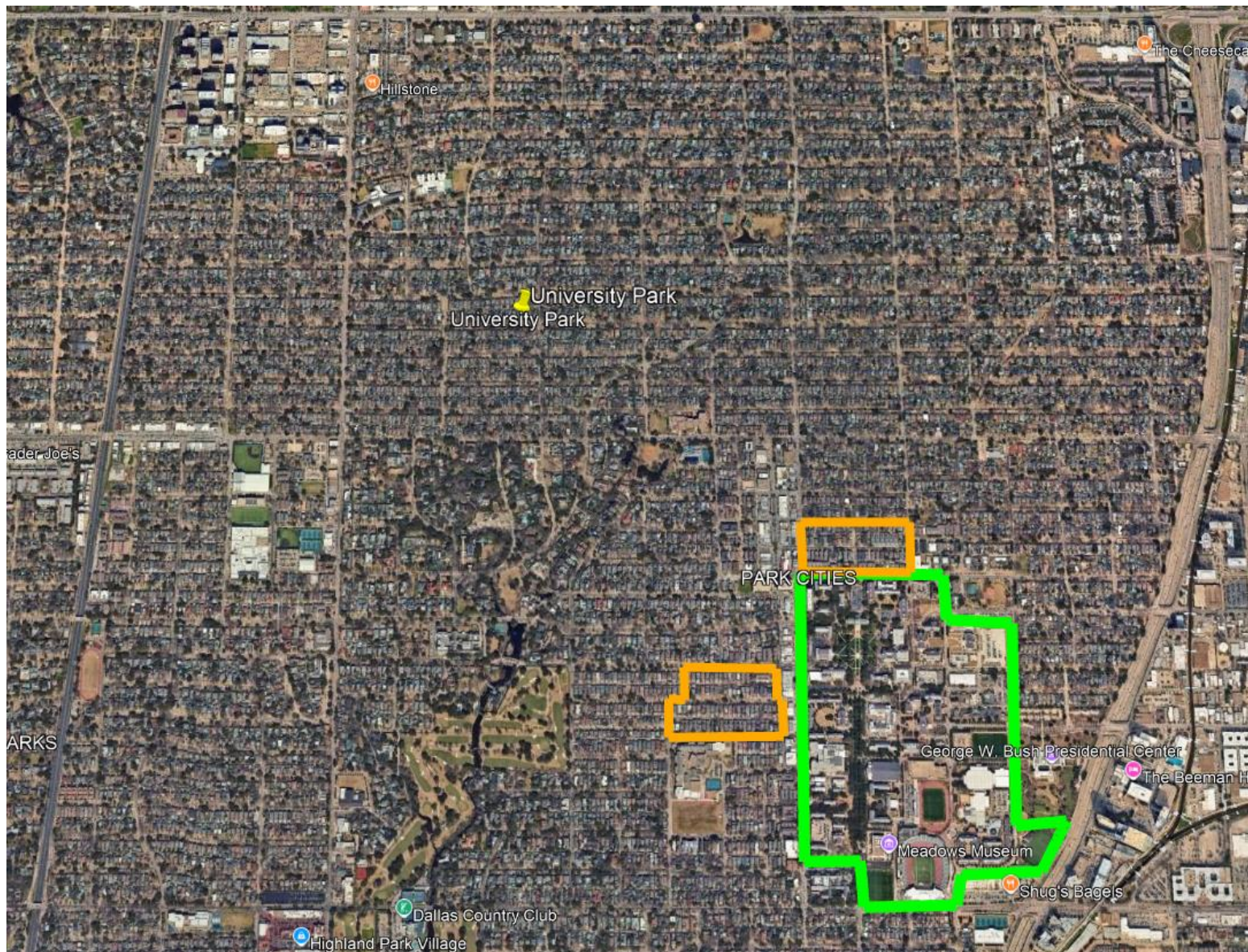
| Theme | Action Item(s) |
|---------------------------|----------------|
| Affirming Sense of Place | |
| Assuring Connectivity | |
| Innovative Governance | |
| Technological Integration | |
| Preparing for the Future | |
| Not Applicable | |

Recommendation:

Receive a presentation and provide staff direction

Committee Review (optional):

Attachments: maps



Low Tolerance Districts

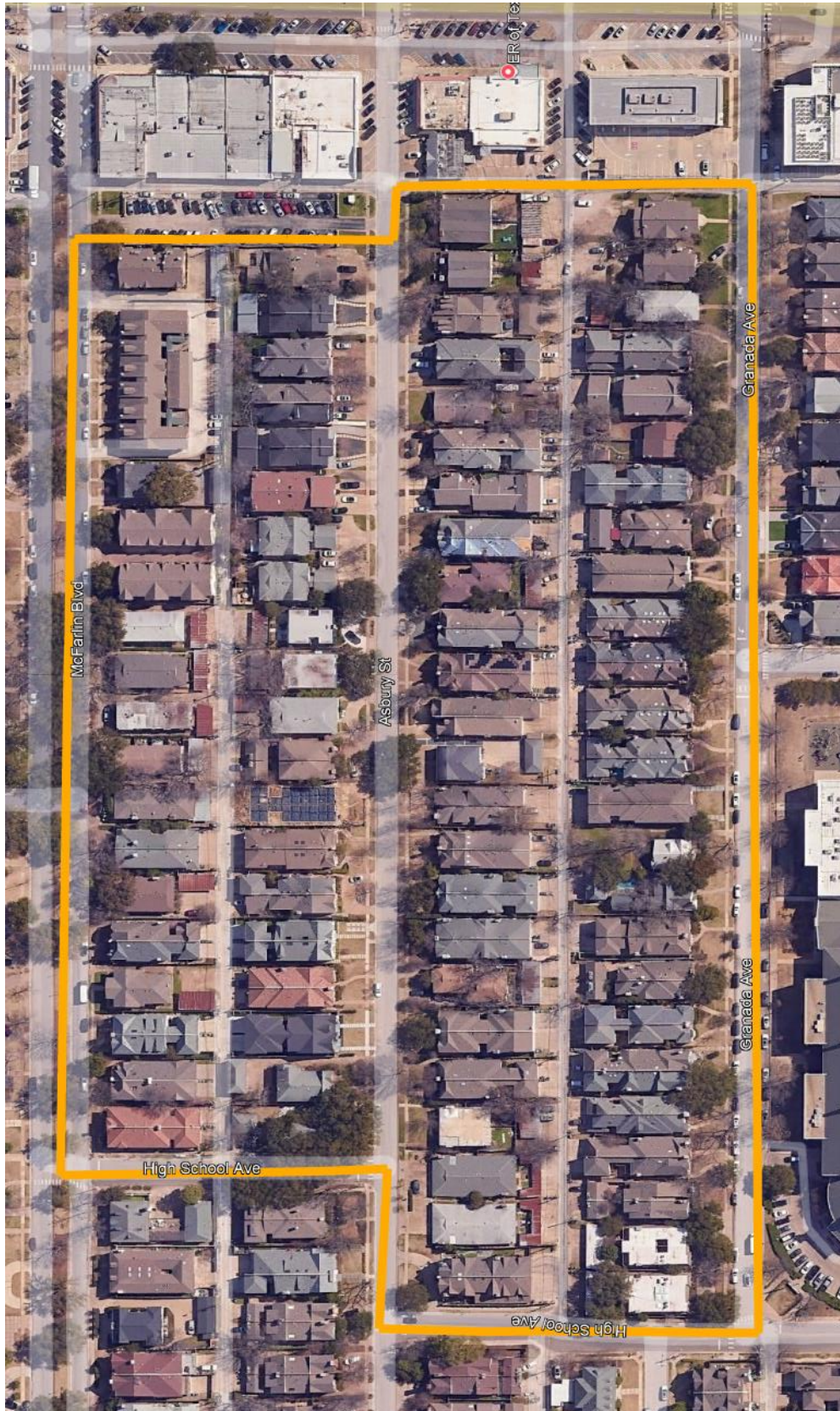


Low Tolerance Districts





Rosedale LTD



Asbury LTD