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Short-term rental critics speak against 'anti-neighborhood bills on steroids' at Capitol

Representatives from the Texas Neighborhood Coalition are in opposition to legislation they believe supports short-term rentals.



Bright-red signs protesting short-term rental properties line Prospect Avenue in Dallas' Edgemont Park Conservation District. Members of the Texas Neighborhood Coalition spoke out against what they perceive as bills in support of short-term rentals at the state Capitol on Wednesday. (Juan Figueroa)



By [Myah Taylor](#)

Members of the statewide Texas Neighborhood Coalition testified on Wednesday during a public hearing at the State Capitol against two House bills they believe would encourage short-term rentals in neighborhoods.

Leaders in the TNC hold that House Bill 2367 and House Bill 2789, what they describe as “anti-neighborhood bills,” would preempt regulation or restriction of short-term rentals in municipalities [such as Plano](#), where residents are protesting against the properties rented out for 30 days or less through platforms like Airbnb and Vrbo.

“Our core mission is to advocate for actions that protect residential neighborhoods and against actions that are anti-neighborhood,” Dave Schwarte, co-founder of the Texas Neighborhood Coalition, told the Land and Resource Management Committee regarding HB 2367. “And regretfully, I have to say that this bill is anti-neighborhood on steroids.”

HB 2367 relates to the regulation of residential amenity rentals by political subdivisions. Rep. J.M. Lozano, author of the bill, said it is not a short-term rental bill.

“It’s not even an entire home amenity bill,” Lozano told the committee. “This is simply allowing a homeowner, if they have a gazebo, if they have a garage, if they want to be able to host in their backyard for photo sessions. It still allows the cities to maintain their zoning.”

Lozano added that with 90% of pool or amenity rentals, owners have been present. TNC members said [HB 2367](#) would create opportunities for investors to operate homes like hourly commercial venues used for parties and other events.

“Don’t be fooled by this bill. This bill basically eliminates local control of land use. It also eliminates residential zoning. It opens (up) pretty much all our homes to commercial businesses,” Andrew Muras, a Grapevine resident and leader in the Texas Neighborhood Coalition, told the committee regarding HB 2367. “If you’re going to allow this, are you going to also allow auto shop zones and doggie parks?”

[HB 2789](#) relates to the regulation of accessory dwelling units by political subdivisions. Accessory dwelling unit refers to residential units — located on lots not zoned or zoned for a single-family home or duplex — that are independent of the attached or detached primary dwelling unit. They are also defined as being a complete and independent living unit for at least one person.

The bill would restrict political subdivisions from enforcing or adopting an ordinance that “prohibits the owner from selling or renting the accessory dwelling unit” or “prevents an owner of a lot zoned for a single-family home or duplex from converting an existing structure to an accessory dwelling unit,” among other restrictions.

TNC members said HB 2789 would allow the use of buildings as mini hotels or party houses.

“It’s not rocket science here,” Muras said about HB 2789. “What’s an investor going to do once they buy this? They’re going to add as many ADUs as they can.”

The TNC said in a Tuesday press release sent to *The Dallas Morning News* that it is opposed to six additional “anti-neighborhood bills” in the Texas House and

Senate.

“It’s the same problem as short-term rentals in residential neighborhoods,” Schwarte told *The News*. “You end up with another parade of complete strangers right next door, and they can rent the property for up to 15 hours a day with no limits on the time. So, party starts at 6 at night and, what, ends at 9 o’clock in the morning?”

Plano city officials are mindful of [House Bill 2665](#), which if passed, would preempt zoning action.

After hearing residents’ concerns, Plano city officials said at the March 13 City Council meeting that they will [consider a temporary short-term rental ban](#) that would be in effect until the city decides how to regulate the properties. The [legality of regulating short-term rentals](#) through restrictions and zoning has been a crucial part of the discussion, as several Texas cities have faced litigation for their regulations.

Bill France, leader of the Plano Texas Neighborhood Coalition, told *The News* these bills take away local control.

“Plano doesn’t need this kind of help from Austin to fix its short-term rental problem,” France said in a statement sent to *The News*.

Related: Can Plano have short-term rental ban? What legal experts say



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