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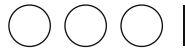
## Want your city to regulate Airbnbs? This legislator is trying to stop you. (Editorial)



The Editorial Board

Updated: April 13, 2023 8:44 a.m.

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A welcome sign along Highway 90 Sunday Jan. 11, 2015 in Marfa, Tx.  
Edward A. Ornelas/San Antonio Express-News

In far West Texas, an unassuming, little cattle town suddenly becomes chic. It vies with Santa Fe for frequency of articles in the New York Times travel section. Big-city Texans, like turkey vultures at sundown, swoop into town and buy up modest houses that become second homes or short-term rentals. Arranged through Airbnb, Vrbo and other vacation-rental websites, these short-term rentals often sit empty during the week, unavailable to locals who need them for long-term occupancy.

Marfa appreciates the publicity and the money the out-of-towners drop, but its residents – or would-be residents – need affordable housing. Teachers, municipal employees and other folks that keep a community going need places to live. They can't find them.

Four hundred miles to the east, one of the fastest growing cities in the nation watches with increasing distress as traditionally Black and Latino neighborhoods are overwhelmed by short-term rentals. Blocks of modest bungalows in East Austin, home for seven decades to working-class families, are being razed. Neighborhoods are being transformed almost overnight into a welter of boxy, multi-story contemporary dwellings built expressly as expensive short-term rentals.

There goes the neighborhood, literally. Instead of long-time residents in the front yard mowing the grass, walking their dogs and looking out for each other, the new structures lure weekend bachelor and bachelorette parties, product launch events and corporate retreats. As Texas Monthly noted recently, “the revelers typically drive in from around the country every few days, paying hundreds and sometimes thousands of dollars per night (often with a three-night minimum).” One disgusted resident of a once quiet, close-knit neighborhood described the ubiquitous short-term rentals as a “monetized nuisance.”

Almost overwhelmed by its dizzying pace of growth, Austin needs affordable housing even more desperately than Marfa, the little town out west that attracts Houstonians, Dallasites, Austinites, even Angelenos, who drop in now and then. Fredericksburg and Wimberley in the Hill Country, Corpus Christi and Galveston on the coast, Houston, San Antonio and Dallas – any Texas town or city neighborhood that attracts tourists is dealing with similar short-term rental headaches, even as they recognize that vacation rentals in actual houses have become an integral part of the economy. City governments would like to better manage and regulate in ways tailored to the needs of their communities, but their hands may soon be tied by the courts and by Republican lawmakers insisting that individual property rights preempt local control.

State Rep. Greg Gates, R-Richmond, is the anti-regulation champion this session, as usual. His House Bill 2665 would basically hamstring efforts by cities and counties to regulate these mini-hotels popping up like mushrooms in residential neighborhoods. Under his legislation, any local ordinance that would “expressly or effectively prohibit the use of a property as a short term rental property” would be outlawed. The bill defines a short-term rental as 30 days or less, and any limit on the length of time or frequency of such a property would be outlawed. Any limit on the number of occupants at a short-term rental would be outlawed, as would city or county efforts to use zoning as a tool to regulate them. Similar legislation has been introduced in previous sessions but never adopted.

Perhaps we should have mentioned that Gates happens to be a real estate developer who owns several dozen apartment complexes in and around Houston, most in low-income neighborhoods. When it comes to naked self-interest, he's shameless. After he was elected to the Legislature, he filed a bill that would protect residential building owners from having to bring their properties up to code.

Of course, he's not the first lawmaker in it for himself, maybe not even the most blatant. We recall that Harris County voters a few years ago elected a payday lender to the Texas House whose paramount interest happened to be loosening regulations on predatory payday lenders.

Gates is also not the first GOP elected official in recent years to do a happy chicken dance atop the tattered party tradition of local control. So what if Marfa is unique? Who cares if big cities have big-city challenges?

The [Big Bend Sentinel reports](#) that the Marfa Chamber of Commerce recently began circulating a petition urging the city council “to begin looking at options for short-term rental regulations in Marfa that balance the needs of residents and the tourism industry and ensure the sustainability of our community.”

With plans to present the petition to the council, the chamber noted that “the residents most impacted by the negative effects of short-term rentals are those with infrastructural and service industry jobs. Our local economy cannot stand the continued increase in housing prices and lack of affordable long-term rentals.”

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It's obvious why developer Gates feels compelled to undermine local control. Fort Worth recently used its zoning ordinance to keep short-term rentals out of single-family neighborhoods. Arlington in 2019 confined them to a designated "entertainment zone" near Six Flags, AT&T and Globe Life Field. Dallas and Plano are considering similar limitations. Austin approved an ordinance in 2016 that banned short-term rentals at non-owner-occupied houses, although the ordinance fell afoul of the courts. With more than 11,000 licensed short-term rentals – and several thousand more unlicensed – the city hasn't given up trying to find a balance.

Houston, with roughly 12,000 short-term rentals, is more lax than most cities when it comes to regulating and monitoring short-term rentals. Instead of zoning or regulation, the city relies primarily on homeowner association bylaws, covenants and deed restrictions in individual neighborhoods. Rumbblings haven't reached Austin levels, but they're building. Residents in Montrose are trying to stop former Texans linebacker Darryl Sharpton Jr. from building six houses specifically for short-term or extended-stay rentals by asking the city to apply hotel regulations.

Short-term rentals aren't going away entirely, nor should they. They're popular with tourists and with property owners. Towns and cities appreciate the revenue they generate, but if local government can't enforce reasonable rules and regulations, they'll wear out their welcome.

Developer Gates's House colleagues need to remind him that local officials know best. They know their cities' needs; they know the neighborhoods. They're the ones best situated to make decisions about property rights, including the rights of those deeply invested in their homes and communities. If those folks wake up one morning and find themselves living next door to loud and obtrusive short-term rentals, we're pretty sure Developer Gates won't be there to help them.

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RETAIL

## Rice Village boasts neighboring needlepoint stores, and both are booming in popularity

On Tangley Street near Rice Village there are two needlepoint shops, Stitches in Time and Needle House, catering to both old and young generations of stitchers.

BY MEGAN MUNCE

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