

**HOUSE OF REPRESENTATIVES  
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Land & Resource Management  
For HB 2789

Compiled on: Friday, March 31, 2023 11:03 AM

Note: Comments received by the committee reflect only the view of the individual(s) submitting the comment, who retain sole responsibility for the content of the comment. Neither the committee nor the Texas House of Representatives takes a position on the views expressed in any comment. The committee compiles the comments received for informational purposes only and does not exercise any editorial control over comments.

---

Hearing Date: March 29, 2023 8:00 AM

GEORGE PAPILARIS

Self Retired  
Arlington, TX

I am writing to express my strong opposition to this legislation for two reasons. First, Adopting this piece of legislation will devastate many established neighborhoods including but not limited to any sited close to entertainment and sports venues. Arlington already has a mechanism for adding ADUs, insuring the rights of all affected neighbors. This process has worked well. Second and possibly more important, is the usurpation of local control by Austin. Local issues are best handled locally, and while I understand powerful interests would rather deal only with the State instead of hundreds of local councils, local government is where this rightly belongs. Please reject this massive intrusion into local affairs Sincerely George Papilaris

Martin Sigler, Dr.  
self, physician  
Dallas, TX

I am writing to express my **STRONG** opposition to bills HR 2367 and HR 2789. Both of these bills are thinly-veiled efforts to allow short term rentals in Single family neighborhoods. The Texas legislature has no business meddling in the local affairs of cities — especially when it comes to zoning issues and quality of life.

Having lived adjacent to a short term rental for the last three years, I can personally attest to the damage they inflict on neighborhoods. Drugs, parties, and a constant stream of strangers flowing in and out of an STR is not what I signed up for when I bought my home in a single family-zoned neighborhood in 2014. It has been hell. Citizens in Dallas have been working for years to get STRs out of single family neighborhoods. Our work should not be inappropriately usurped by the passage of 2367 or 2789.

**VOTE NO on HR Bill 2367 and HR Bill 2789!**

Sincerely,

Martin Sigler  
Dallas

Elena Bourke

myself and my community

Plano, TX

I object to this bill. It disallows cities to legislate and to hear local residents voice concerns regarding nightly rental houses in their own single family neighborhoods. Many of us are living with this nightmare already. Strangers around our children every weekend. In our city alone, documented shootings, prostitution, sex trafficking, a brothel, a party with 200 teens, etc. These short term rentals provide the perfect opportunity for anonymous and nefarious activities. Their existence reduces our home values, defunds our public education by taking up homes where students will not reside, degrades the cohesiveness of our family neighborhoods.

Shari London, Mrs.

Self - self-employed

Rockwall, TX

I am writing to OPPOSE this bill on the strongest possible terms. This bill literally wipes away the notion of a single-family neighborhood in Texas, forever. This bill is EXACTLY what California did in 2019, only they went a step further and applied the restrictions not to just political subdivisions like cities and counties, but applied it to HOAs as well. With devastating consequences. I moved from California 5 years ago and have many friends still living there who have been telling me the horror stories since California SB9 passed.

As currently written, only the MIGHTY POWER OF THE HOA can currently save a Texas single-family neighborhood. Lord help us. What a sad, sad day for Texas. If we have Texas Republicans looking to liberal states like Oregon and California for guidance (as the bill analysis states), then it's likely only a matter of time before HOAs get thrown under this bus just like they did in California.

This bill, authored by a Republican, actually violates Plank 85 of the Republican Party of Texas Platform, which SUPPORTS the ability of cities, counties, and school districts to collect impact fees, to ensure that new growth pays for the IMPACT on governmental services without forcing current residents to subsidize newcomers moving in. The bill states, that if an Accessory Dwelling Unit is small enough, no impact fees can be collected. In fact the bill language limits any other kind of fees associated with building an ADU.

The bill analysis proudly points out how 10% of the building permits in liberal states were for ADUs after passage of similar legislation. You mean to tell me you expect Texas cities to process 10% of their future building permits, and expanded city services like water, fire, police, etc, on the backs of existing residents instead of the ones actually doing the building? I am completely baffled why a Republican thinks that is a GOOD idea.

Why bother serving on planning and zoning, amending a comprehensive plan, and designing the future of what your community looks like, when the heavy handed Legislature wants to turn single-family neighborhoods into multi-family neighborhoods with the stroke of a pen - whether or not that's what citizens want?

What about the property rights of people who bought into a particular city's vision of sustainable development, to ensure there would be adequate roads, water, and other infrastructure as the city grows? Traffic in Rockwall County gets worse daily, our roads are beyond capacity even with planned single-family subdivisions, and this bill just adds fuel to the fire - and cars to the road.

This is a BAD bill for Texas. I moved from California to escape its liberal policies, like this one. I am discouraged to see Texas looking to California for policy guidance. Whether the consequences of this bill are intended - or more charitably, perhaps unintended - they are too negative to ignore. Please vote NO on this bill.

Chester Morris

Self

Odessa, TX

Dear Sir , it is quite evident that you don't live in an area that has been overrun buy out of towners that live in anything that they can through up and stay in . The traffic is horrible , the over crowded schools , the traffic that treats your home like a third world country driving like idiots and throwing trash all over the place except where it belongs !!! Texas isn't Commiefornia , don't try to make it so !!! I don't know where you are from , but I am 6th generation Texan and damn proud of my state , LEAVE IT ALONE !!!

Deloris Jones

Self. Retired

Amarillo, TX

I strongly oppose this bill and recommend a vote for no.

Gary Lawson

Self Attorney

Dallas, TX

Please take careful note that I and thousands of Texans strongly oppose any effort by the State Legislature to interfere and take away from our local municipal government entities the long-standing local authority power to regulate zoning.

Zoning is a purely local matter and your bill would deny citizens our right to petition our local government to properly utilize this zoning power. You would not want me in Dallas to affect the rules where you have chosen to live and raise your family. I and my neighbors don't want the Texas Legislature to take away my and our rights to appeal to our local municipal elected officials, my City Council, to write zoning laws for my city. Let democracy work. Stop handing over my rights to home rental giants.

We are fighting desperately to maintain our neighborhoods safe from houses of prostitution, drug houses, and party houses all that short-term rental giants and investors who don't live in our neighborhoods permit to exist.

If someone wants to own a short-term rental let that be in areas that permit commercial uses. If someone wants to rent their home, a year or even 30-day rentals would be permitted.

Our police forces are already strapped to deal with crime. Police have no excess resources to deal with crimes in residential neighborhoods that come about all too frequently from party houses in short-term rentals.

Spence Black

Self, Oilfield MWD Technician

Arlington, TX

I bought a house in a single family residential neighborhood because I wanted to live and raise my children in a single family residential neighborhood. This bill would turn single family residential neighborhoods into overcrowded shanty towns! I don't understand why Republicans in the Texas Legislature are suddenly filing all these bills that would destroy traditional single family residential neighborhoods, but it needs to stop. Does the Texas GOP not realize that the majority of homeowners who live in those neighborhoods are your voting base and we do NOT want this in our neighborhoods. We expect the Texas GOP to protect family neighborhoods, not destroy them. Vote no on House Bill 2789.

Linda Fulmer  
Self  
Fort Worth, TX

I am contacting you to express my strong and adamant opposition to House Bills 2367 and 2789, both of which have hearings in the House Land & Resource Management Committee. If either were to ever become law, they would wreck my neighborhood and many other neighborhoods across the State. The first bill would allow any home in any neighborhood to be used as a permanent party house. I know of no one who would want to live next to a home used as a party venue with a continuous parade of total strangers partying next door.

The second bill would allow anyone to build one or multiple extra dwellings, called ADUs, in their backyard, without restriction, and rent out as short-term rentals or other types of party houses and event centers. I bought my home in a residential neighborhood to ensure I'd have a safe and quiet place to raise my family. There would be no protection to us homeowners whose property rights and quality of life are impaired by ADUs and the disruptions they bring. Whether or not ADUs are appropriate for a particular community must be a decision made by local authorities who know local conditions and are answerable to local voters.

Let my vote count!

Thank you for your time and consideration.

Angela Medrano, Mrs.  
self, SAHM, pediatric occupational therapist  
Dallas, TX

Please take note that I am strongly and adamantly opposed to this bill and any bill that takes away the local government's ability to zone for what the residents of that area see fit or their town or city, large or small. By considering this bill, you would essentially eliminate all single family lots across the state of Texas. Short term rental companies and large investors that are overtaking the housing market could turn any lot into a short term rental property with 2 properties to rent. Imagine that your spouse and your family of small children would have to spend their days and nights next to a revolving door of strangers. Imagine that your spouse would be trying to put your child to sleep for naps or bedtimes next to an ADU in the backyard next to your home on both sides. Imagine that you have to call 911 every time there is a party. Imagine that your sweet children are playing in the backyard next to who knows what in the back yard next to yours. Imagine that your child goes missing from your own backyard to a pedophile who has rented an ADU in the backyard next to yours. I respectfully ask that you put the needs of the incredible residents of Texas neighborhoods over the greed of corporations looking for huge profits from short term rentals.

John Bourke, President of Bourke & Associates  
The Texas Neighborhood Coalition: Plano Chapter  
Plano, TX

As a Plano, Texas resident of 30 years, I am adamantly opposed to HB 2789, as I have seen enough evidence in my own neighborhood, that it creates a situation that destroys the fabric of safety and community in our residential neighborhoods.

John Morrow Jr., Mr.

Self - Retired

Dallas, TX

Dear Committee Members:

I am strongly oppose to HB 2789 and any effort by the State Legislature to interfere and take away from our local municipal government entities the long-standing local authority, power, to regulate zoning. HB 2789 takes away that right. Zoning is a purely local matter and HB 2789 takes away our citizens right to petition local government to properly utilize zoning power. HB 2789 usurps the right of citizens across Texas to local self determination!

The needs and wants of the Citizens of Texas are as varied as the municipalities of Texas, from the very large to the very small. You would not want me in Dallas to affect the rules where you have chosen to live and raise your family. I and my neighbors don't want the Texas Legislature to take away our rights, my rights, to appeal to our, my, local municipal elected officials, our City Council(s), to write local zoning laws.

We are fighting desperately to maintain our neighborhoods safe from houses of prostitution, drug houses, and party houses all that short-term rental industry giants and investors who don't live in our neighborhoods would permit to exist.

If someone wants to own a short-term rental let that be in areas that permit commercial uses. If someone wants to rent their home or accessory dwelling for a year or even 30-days+ let that be permitted on a local basis.

Where is this legislation coming from? A ground swell of citizens across Texas who are demanding Residential Accessory Dwellings in their neighborhoods? Are they demanding the State legislation to rob them of their right to have local municipal governments govern local issues?

This legislation is obviously coming from the short-term rental industry.

Question is, does this committee represent big business or do they represent the Citizens of Texas who I am sure if asked would like local control, not State control, of important issues as found in HB 2789.

Table this bill. Let it dye in committee.

Thank you!

John Morrow  
8522 Stable Glen Dr  
Dallas,Texas 75243

Barbara McArthur

self & my neighborhood Retired 76 - husband 85 - 5 years ago, all but one person signed a letter to City Council members saying we did not want STR's in our neighborhood.

Arlington, TX

HB2367 Party House Bill and HB2789 ADU/STR We are adamantly opposed to these bills. 3/26/23

Realtors have joined with STR's to run businesses out of their homes at the expense of other homeowners living in those neighborhoods. These bills are an overreach of the state to disregard city zoning ordinances and regulations. These decisions should be made by the cities. For 5 years we had to take our retirement years to fight for our neighborhoods against our city, and State Representatives and Senators who side with lobbyists and their lawyers supporting these multi million dollar companies; they keep coming at us. The language of the bill is always to over turn what our city has done to keep STR's out of our neighborhood.

As a homeowner living next to an STR, I can tell you they don't just rent out rooms. They rent out their home for meetings, and to host parties, those with pools rent their house to host swim parties.

The home was purchased to run an Airbnb. At first, we didn't know what was going on, we saw people with suitcases going in and out, always different people. I told my husband, I think they are running an Airbnb.

(I don't have room to go into the rest of the story, but she lied from the start)

When realtors sell to people buying homes to run businesses they will pay anything and drive up the cost of purchasing a home.

- a. This raised our taxes because they raised our property value. It caused the people purchasing the house across the street, then, to have to up their amount they had to pay for their home.
- b. It doesn't allow for more young people to afford to purchase homes.
- c. When these properties are used for parties the people park on both sides of our narrow street, often blocking mail boxes, and a narrow passage for cars to get through.
- d. One STR around the corner from us was at a bus stop for school children; very concerning for parents with children getting on and off the school bus.
- e. It will hurt us if we have to disclose there is an STR next door when we sell our home, as she still can and does rent out rooms on a monthly basis.
- f. People are closing in bedrooms, to put 2, 3, 4 people in a small room or adding on to their home to add more rooms to rent out. There is no way any of this will be regulated it will be impossible for city gov. to fight.
- g. I'm sure you have heard the other horror stories.

I sincerely hope you will research and know these are motel and party venue businesses and they belong in a business district not in our neighborhoods.

About half the people on our block are now elderly, we have health issues, this is not fair for young or old to have to fight multimillion dollar companies, State Reps and Senators, just let us enjoy our neighbors and neighborhood. We would love to have your support for us, and fight against bills such as HB2367 and HB2789. Also, SB1461 and SB1466.

Sincerely, Barbara McArthur

Ellen Beadling  
self / retired  
Dallas, TX

I am strongly opposed to HB 2789 and any effort by the State Legislature to interfere or take away our local municipal governments' long-standing local authority and power to regulate zoning. HB 2789 takes away that right. HB 2789 usurps the right of Texans to local self determination!

This is an extremely harmful bill. In my opinion, it is shamefully transparent that the short-term rental industry is using their considerable resources and deep pockets to buy legislation that favors them.

This bill is something someone else wants and they are trying with every means possible to force it upon the proud and independent citizens of Texas.

**WE DON'T WANT IT!**

Considering this bill means you are prioritizing short-term rentals and various other schemes over hundreds of thousands of homeowners/residents, including YOU, who have the right to enjoy the sanctity of their homes and neighborhoods. For most Texans, their home is the largest financial investment of their lives. They deserve better from you.

Seriously? Are you going to be played as the fool of these industries that bully and steamroll any attempts to rein them in?

Thousands of Texans strongly oppose any effort by the State Legislature to intervene or co-opt our local municipal government entities' long-standing local authority and power to regulate zoning.

Zoning is a purely local matter and your bill would deny citizens our right to petition our local government to properly utilize this zoning power.

Texans are fighting desperately to protect our neighborhoods from brothels, drug houses, swim party houses, dog parks, ... just a few of the illicit uses allowed by the short-term rental giants and investors who don't live in our neighborhoods.

You cannot allow yourself to be tone-deaf to the voters of Texas. It is your duty as an elected official to protect and preserve Texans' quality of life.

Again, Texans are fighting desperately to protect our homes and neighborhoods. **FIGHT WITH US!**

marsha bux, Mrs.  
Self  
Plano, TX

I would like to register my strong opposition to this bill. Currently there are two STR businesses directly behind my house. The people have no respect for the residents of the neighborhood. The noise (music & loud screaming) makes life very unpleasant. Please keep taxpayers with an interest in our towns & cities in mind when you consider this bill. Thank you for your consideration of my point of view.

william Dailey, Mr  
self, retired  
Port Aransas, TX

I oppose HB 2789 regarding elimination of local zoning law in relation to Accessory Dwelling Units. We have problems with parking, short term rentals and density. This bill would exacerbate our problems.

Stephen Kyriakos  
Texas Neighborhood Coalition - Plano  
Plano, TX

I writing to express my strong and unwavering opposition to House Bills 2789, which has been referred to the Land & Resources Committee. If the bill were to become law, it would wreck my neighborhood and other neighborhoods across the state.

Thank you for your time and attention.

Stephen Kyriakos  
2617 Barrington Dr, Plano, TX 75093

ANTHONY NAGY  
Self  
Arlington, TX

As a citizen I rise to oppose this bill - Please do not let it move forward.

I live in an Arlington residential neighborhood and have been in the same location for over 45 years. I lived next to a short term rental for about three years and know of what I speak. I am against short term property rentals because of the turmoil and mayhem they bring to a neighborhood. Four years ago Arlington instituted codes that allowed short term rentals in certain specified area but not in single family in residential neighborhoods. HB2789 restricts cities to control the use of property in residential neighborhoods. The bill even promotes the proliferation of short term rentals through the the allowance of ACCESSORY DWELLING UNITS. What a way to destroy the peace and sanctity of single family residential neighborhood. What a way to create HAVOC by taking away the local control that I have a voice in with my City Council.

Please reject HB 2789 and let the cities continue controlling the use and sanctity of residential neighborhoods. The state has no business doing or imposing control. The cities have the best knowledge of local situations and of what I and my neighbors want and need. That is why we have a City Council!!!!

The entities pushing this bill only care about profits and have no respect for the quality of life in residential neighborhoods!!

Lloyd Colegrove, Dr.  
Retired  
Fort Worth, TX

I am against this bill. This basically upends the single-family zoning that Texans have relied on for generations to keep neighborhoods safe and intact. Why would anyone want to do otherwise? Please allow local municipalities to make the best decisions for their citizens. Texas should not be looking over every municipalities' shoulder. Let local governance live.

David Griffith  
Brady Corp  
Fort Worth, TX

Please vote against this bill. Single-family residential neighborhoods. Need to remain family friendly neighborhoods all night parties and hourly rentals have no place in our neighborhoods.  
Thank you, David Griffith.

Gordon Appleman  
self, attorney  
FORT WORTH, TX

The legislature should leave local matters to local government. Where have all the hypocrites who abhor "big government" gone? Elevate the so-called "property rights" of a few absentee land owners who want to move into an area known as, and in most cases supported by valid local ordinances, a single family residential neighborhood and claim some superior right to the vast majority of the neighbors? That is a gross distortion of any legally protectable "property right." They know the restrictions when they buy. If you don't like the restrictions, buy somewhere else and don't disrupt and devalue the residents already in the area. That is a greater taking of property rights.

Diane Mott, Homeowner Homemaker  
Self. Homemaker  
Dallas, TX

We are **STRONGLY OPPOSED** to HB 2789 and urge you **NOT** to allow this disastrous bill through.

David King  
self  
Austin, TX

Please oppose HB 2789 and please do not override local control on accessory dwelling units. If enacted, the bill will preempt most local regulations on accessory dwelling units for all residential properties in large cities throughout Texas. It will impose one-size-fits-all regulations on local zoning and development regulations without regard to local conditions.

The bill will facilitate redevelopment that disrupts families and erodes the fabric of our residential neighborhoods for profit! The bill apparently preserves the property rights of private entities and property owners' associations to prohibit and limit accessory dwelling units. Members of the House who live in neighborhoods with property owners' associations don't have to worry about top-down state imposed regulations detrimental to their neighborhoods.

The bill safeguards and facilitates the interests of real estate investors and multibillion-dollar corporations at the expense of families and neighborhoods throughout Texas. It undermines the zoning authority and policies of local municipalities and exacerbates inequity in property rights for low- and middle-income families.

Please oppose HB 2789. Please do not preempt local regulations on accessory dwelling units.

Thank you for considering my comments and your service!

Lisa Griffith  
Self - Director of Development and Enrollment  
Fort Worth, TX

I am in opposition of House Bill 2789.

Brenda Colegrove, Dr.

self, retired

Fort Worth, TX

To whom it may concern:

I have lived most of my life in Texas, spending time in three very different cities; first growing up in Plano (a large suburb of Dallas), then spending my working years in Lake Jackson (a smaller city of ~25,000), and now I currently reside in the large city of Fort Worth. Each of these different experiences was positive and right for the stage of life I was in at the time. I believe that a foundational reason these different cities were a great place to live is the locally elected officials that listened to their constituents and translated these needs and interests into city plans and regulations. These vary from city to city, and thus the need for local discussion and execution is paramount. There is no “one size fits all” plan for a good city as each needs its own plan. Thus I am very concerned with the trend in Texas for the state to legislate away the opportunity for cities and counties to address individual needs and create well planned cities, in particular through effective long term plans and supportive zoning. I had the privilege of serving on the Planning Commission in Lake Jackson for over a decade, and during this tenure I saw first hand how this governmental construct allowed the residents of the city to have effective dialogue with city staff as well as commercial interests to balance the various needs of the city. It is only through this local dialogue – and not edicts from state officials with no knowledge of the local issues – can cities truly develop in a way that best meets the desires of its citizens. Effective zoning ordinances allow for all legal types of property usages and activities, integrating them in a plan to minimize conflicts between them. Each defined zone has specific usages that are allowed or not allowed by default, as well as special usages that may be allowed after public consideration providing neighbors to voice concerns or support. This process works exceedingly well, with compromises often arising to the benefit of everyone.

I am strongly opposed to HB 2789 (accessory dwelling units) and HB 2367 (renting out amenities of a home) as both of these are absolutely not necessary (local zoning already addresses the issues) and usual control that rightly resides within the purview of a local (city or county) authority. While I do support both of these types of property usages as legitimate and needed, I strongly believe each city has the right to determine where these are allowed and not allowed within their local jurisdiction to create the best balance of neighborhood environments for their citizens. State administrators and commercial interests outside of the city limits (who are driving these for their own financial gain) have no valid voice in these issues.

Brenda Colegrove

208 Lindenwood Drive

Fort Worth, TX 76107

Don Lautner  
Self  
Mansfield, TX

HB 2789 should be rejected.

The Bill effectively re-classifies the zoning of all Single Family (SF) zoned properties within Texas cities. The Bill allows the construction of large (up to the size of the primary dwelling), rentable (and sellable) “accessory” dwelling units (ADUs) on any SF lot in addition to the primary dwelling by prohibiting cities from establishing ordinances with significantly more strict ADU requirements. The Bill redefines smaller SF zoned lots to a Duplex zoned equivalency.

In addition, the Bill allows any SF lot greater than 10,000 square feet to contain two ADUs, turning the “Single-Family” property into something equivalent to a Triplex zoned lot with all three of the dwellings (primary plus two ADUs) separately rentable and maybe even separately sellable.

Many Texas cities already allow the ADUs on Single-Family zoned properties but the size, location and other features are regulated to retain the SF character of the neighborhood. Plus the use is focused on providing housing for extended family members – not as general purpose rental property. This Bill cancels these existing sensible restrictions.

This Bill, single handedly, destroys the meaning of Single-Family zoning by redefining SF zones to Duplex and Triplex equivalent areas.

It is inappropriate for the State to destroy the basic premise of single-family properties after citizens have invested significant percent of their wealth in their homes. When they purchased property in a SF zoned neighborhood, they expected SF zoning protections.

HB 2789 should be rejected.

Mary Collins  
Self  
Fort Worth, TX

I Hello, my name is Mary Rabalais Collins and I am opposed to allowing any sort short term occupation/leasing of any type of property, weather it be the main structure or an additional structure on a residential property within a residential neighborhood intended for single family dwellings.

I lived next to a short term rental which was a nightmare. The home was used for a community center for churches, a spring break party house, and was used to make some sort of films.

Trash was everywhere and renters were rude.

Please do not allow short term rentals to ruin the sanctity of our neighborhoods.

Respectfully, Mary Rabalais Collins

Mary Nagler  
Self  
Dallas, TX

I oppose this bill. Local regulation and zoning is needed to determine the correct regulations for that particular city as needs differ by city and town. Here is Dallas, I am acutely aware of the local issues and work to improve my neighborhood and community. This bill should not pass as it will negatively affect my community and a blanket ordinance should not be imposed on cities where needs differ. I kindly ask that you do not move this forward. Humbly, a wife, mother of 3 young children, IT manager and Texas Resident who is actively working to improve my community.

Carol Peters  
Self  
Fort Worth, TX

I am writing to oppose this bill to codify unrestricted construction and operation of accessory dwelling units on residential properties in Texas. This legislation as written would allow multiple units to be built on residential lots without regard to surrounding use, parking, construction quality, or health and safety. This type of building should be permitted, inspected and supervised at the local level to ensure homeowners nearby are not penalized by illicit activity, short term rentals, unsafe conditions or public safety concerns. As proposed, this bill violates the sanctity of residential neighborhoods by inviting any owner, on site or remote, to create a public nuisance for their own benefit. The state should not be involved in matters this close to Texas property owners. Elected representatives in cities throughout Texas can decide if allowing ADUs is compatible with their neighborhoods and, more importantly, supported by those most directly affected. Overarching, wide-open state level restrictions is government overreach and will invite abuse and bad behavior. As Ronald Reagan once said, the most terrifying words in the English language are "I'm from the government and I'm here to help." State legislators won't be answering the phone when a terrified homeowner is beset by an out-of-control party, gunfire, trespassing by guests or drunken or drugged up strangers. It will be local police, local officials, and local residents who deal with the ensuing mess. If as homeowners and taxpayers, we are bearing the burden, let us decide what the rules are. I bought my home to have a safe and quiet place to live while I raised my family and enjoy retirement. This law would give homeowners no protections from disruptions caused by ADUs. The bill is badly written, full of loopholes, and cannot be fixed. Let it die.

Barbara Shirley, Ms.  
Fredericksburg Neighborhood Coalition  
Fredericksburg, TX

Due to other obligations I am unable to attend this hearing in person, but I wanted my voice to be heard regarding HB2789. My understanding is that this bill will allow anyone to build an ADU(s) in their backyards without restrictions, and rent out as STR(s), or other types of party houses and event centers. I retired to Fredericksburg and bought my home in a residential neighborhood because of it is quiet and safe. There would be no protection to us homeowners whose property rights and quality of life would be impaired by the disruptions that this ADU(s) could bring. What has happened to allowing cities to decide what is best by determining what is best for a particular community? I am sure Austin legislatures are not familiar with housing needs and ADU(s) in Fredericksburg's neighborhoods. Let my local vote count and allow the cities have a say what goes on in their communities.

Thank you for your consideration.

Lori Green  
Self  
Plano, TX

Strongly oppose! Neighbors belong in neighborhoods! We don't need weekend strangers! Keep our neighborhoods safe!

Sherry Gillespie  
My family  
Heath, TX

I'm strongly oppose this bill. It harms quality of life and property values. Please vote no to this bill. Holland says he opposes high density in Rockwall County, but this proposed bill shows that he is dishonest to the citizens of Rockwall County.

Richard Krause  
Self  
Heath, TX

This is yet another assault on city's ability to regulate zoning and development within residential areas. Cities have ordinances to protect the property owners of their citizens. The CUP process addresses variances. The state has no reasonable standing or reason to impose these changes that seriously degrade residential communities and citizens.

Lorna Kipphut, LtCol, USAF (ret'd)

Self/LtCol, USAF (ret'd)

Rockwall, TX

This bill continues to restrict planning efforts cities and counties have to support these coming into the community or risk ad valorem tax restrictions if not followed.

This bill doesn't affect those living in an HOA (like the author does), but DOES impact those that do not. Neighbors can construct ADUs and their neighbors have no say. And the city or county will not be able to step in and help these neighbors so they will have no voice.

These ADU's can turn into short or long term rentals with no oversight on who is living in them and what are they doing.

Thoughts that come to mind are brothels, drug laundering, sex trafficking...the list goes on and on. A city cannot protect their citizens if they can't fend off potential problems head on.

Cities are required to provide public safety, roads, safe water and wastewater, and all of these will be impacted without any city oversight since the home/land owner will be regulating the occupation of the dwellings.

I am confused that the author of this bill is 100% against density in our communities but has written this bill that will do JUST THAT, just not in HIS neighborhood. This is just density by another name and is a bypass of structured ways and means.

I sincerely hope there is more thought and discussion of the impact this bill has on those neighbors who do not live in an HOA or a historical area, etc. I think those folks will be very much negatively impacted by this bill. Thank you.

Frank Anderson

self

Fort Worth, TX

As a lifelong Texan and homeowner in Tarrant County (Fort Worth), I am opposed to HB2789 due to the destructive neighborhood outcomes that are likely to occur by property owners/investors with no long-term intangible interests in local/neighborhood communities and the benefits to society of healthy neighborhoods. Local city governments should have the authority to establish ordinances on neighborhood property based on collaborative discussions with property owners in their community.

Terri Bahun

Self

Roanoke, TX

NO!!

David Keller

self

Fort Worth, TX

I see not point in this Bill and believe it will denigrate residential neighborhoods in the State of Texas. Does not appear to be resident friendly

John Weisinger  
Self  
Fredericksburg, TX  
3.27.2023

I wish for my comments and opposition to be recorded concerning HB 2789. Obviously, HB 2789 is a Special Interest bill. With all Special Interest legislation it may address a specific need or agenda, however, it always negates or tramples on the rights, needs or privileges of those not benefited by the bill. My comments are based on my involvement in the City of Fredericksburg's Planning for the Future which I helped lead four years ago. The purpose of our work and expanded input from the community was to determine the residents desire for the future of our community. Those desires were to protect the quality of life of our community, protect the cultural history, as well as, address planning, zoning, ordinances and short-term rentals impacted by "overtourism". Our new mayor and city council have been diligently addressing these areas of interest and concern. HB 2789 would ignore many of the resident's concerns. It would negate ordinances that protect the quality of life in Fredericksburg as well as impose environments on neighbors that would lack any recourse locally to resolve. Lastly, HB 2789 would take away local control from counties and cities while applying a "one rule fits all". Our cities have differing dynamics and problems that require different solution, therefore, as stated earlier, Special Interest legislation seldom is successful and creates more problems than they solve. HB 2789 is one that should never get out of committee and certainly should not be adopted.

John Weisinger  
208 W. College  
Fredericksburg, TX

CC: Pete Flores, Ellen Toxclair, Governor Abbott

Donna Rolater  
Self  
Heath, TX

I OPPOSE HB 2789!

The Bill Analysis of HB 2789 states the purpose is to PROHIBIT Cities and Counties from allowing Accessory Dwelling Units (ADUs) by right. In other words, cities and counties can no longer control how their communities will develop. Two ADUs in every back yard will turn every Single Family development into Multi-family. That goes against my property rights as a homeowner.

Rep. Holland's statement of Intent states "Not all communities are fans of ADUs", which begs the question of WHY would you make a LAW that mandates all communities to allow them. Any community that WANTS ADUs can allow them, but don't force ALL communities to have them.

Also, Rep. Holland argues that ADUs are popular and successful in Portland Oregon, Los Angeles and Vancouver...the three most Liberal cities in North America!! We do NOT want Texas to be California!

These ADUs will end up being dens for drugs, gangs, guns and sex trafficking! Please vote NO!!

Barbara France  
Self, Registered Nurse  
Plano, TX

Short term rentals are ruining the quiet suburban nature of neighborhoods in Plano Tx. I strongly oppose this bill. Decisions regarding zoning in my city should be made by my local government leaders.

Robin Crowell  
self retired  
Fort Worth, TX

This is single family zoning. We bought here for that reason and live here for the same. What advantage would there be in crowding,, density, city services, increased crime. Who is really behind this? Who will benefit?

Marji Buffington  
Self  
Keller, TX

Who are you representing? Not the interests of taxpayers that care about neighborhood safety and stability for their families. Please... NO! NO! NO!

BILL FRANCE  
Plano Texas Neighborhood Coalition  
Plano, TX

To the dedicated public servants of our state legislature:

We vehemently oppose this legislation as another example of government overreach.

This bill will allow California carpetbaggers a back door to set up shop in our suburban neighborhoods.

It is an open invitation for criminal enterprises, and has no merit other than to tie the hands of local communities to decide what is best for our citizens our neighborhoods, and our children.

Keep our neighborhoods safe and free of unwanted transient partygoers who have no stake in the safety and security of our community.

Leave sensible zoning regulations, where they make the best and most effective decisions on policy: at the local level.

David McCown  
self  
Plano, TX

I am a Plano resident. To my knowledge, my residence is in an area zoned residential. Short-term rentals are for-profit businesses & not really residences. I strongly object to short-term rentals being permitted in any neighborhood designed for personal residences. The short-term rentals are often party centers for large numbers of people from outside the community creating all types of hazards, parking issues & noises that affect our quality of life. These short-term rentals also negatively affect property valuers as no reasonable person would desire to purchase a residential property in an area where these short-term rentals are allowed to operate. You cannot effectively regulate short-term rentals because, as issues & objections arise, the renters are gone by the time any authority can resolve a situation. Please vote to NOT ALL short-term rentals in residential neighborhoods. Thank you. David McCown

James Skelly  
Whiffletree V, VI, VII HOA  
Plano, TX

I strongly oppose this bill. When the issue of short rentals came up recently, we conducted a survey of our neighborhood and approximately 95% were opposed to any short term rentals in our neighborhood. Additionally, recent events at short term rentals in Plano (human trafficking & prostitution at one and a late night shoot out at another) showed everyone that short term rentals are a blight in neighborhoods. This issue needs to be decided by local city representatives and neighborhoods themselves and not by State of Texas legislators. This is a local issue and needs to be handled that way. I am in complete opposition to this bill and I know virtually all my neighbors are in opposition as well.

John Skelton

Self

Plano, TX

Firmly opposed.

Anna Lopez

Neighbors against STRs

Plano, TX

I am totally against STR in our neighborhood, I for one have a lot of experience with this, and it has NOT BEEN GOOD, the house next door is a party house, with so many teenagers on the streets, speeding, standing, racing and urinating in our yard, LOUD MUSIC playing loudly and the worst of it, alcohol/drugs being sold/giving/distributed to underage teenagers, all being communicated on social media. We call the POLICE each time, and it's bad to take them away from protecting the neighborhood. I think if you personally had a STR next door to you, you would be totally against this, and it would actually make you angry. And along with dealing with this there are always strangers coming and going. We actually had a person come up to our house at 2am and was standing by our front window. It does not make for a safe neighborhood at all, We have been here for 40 years, and have never had to deal with this, it's bad,

Cathy Fulton

Self

Port Aransas, TX

I strongly oppose HB 2789 and the companion bill SB 1412 are bad bills centered around removing municipal authority over building and zoning requirements. Texas is the 2nd largest State, with vast distances between areas. North Texas, South Texas, East Texas, Central Texas, West Texas and Far West Texas are all very different in weather, vegetation, environment and history. Municipalities (political subdivisions) are familiar with what types of building codes and zoning work better for individual communities. This bill will wreck the uniqueness of many smaller cities or towns. People that already own property in a residential area, such as an area that only allows long-term residential living, likely don't care for or want a bunch of ADU's becoming short-term rentals (STRs).

Section 247.002 – Certain Regulations prohibited

A political subdivision may not adopt or enforce an order or ordinance that:

2) Prohibits an owner from selling or renting an ADU

Now how is this supposed to work when there is a minimum lot size required for a dwelling unit? The owner would be allowed to chop the property in-half and be well below the required lot size which would greatly increase density and likely would not be compatible with the surrounding neighborhood. Allowing short-term rentals in a long-term neighbor is detrimental to long-term housing. If they rent an ADU in a long-term area, the damn rental needs to be long-term too. Allowing ADU's to be sold requires replat that must conform to the standard EVERYONE ELSE ALREADY CONFORMS TOO.

3) Requires owner occupancy of primary dwelling unit

If the authors don't understand the need for owner occupancy, then clearly the authors are uneducated in the many problems that arise from poor or no management of rentals.

4) Requires parking for an Accessory Dwelling Unit

How can there not be a requirement for parking? Where the hell are people to park? This is just downright stupid. In Port Aransas we have terrible parking problems throughout town, especially in recent years, from hundreds of new STRs which are disguised as ADUs in this bill. We have to require parking. Many of our streets are not even 20 feet wide, making street parking unsafe for pedestrian and traffic flow. Parking requirements are mandatory and even then, we don't have enough parking! This scenario is true for so many small towns.

There are too many problems in this bad bill to point out, but in the end this bill is just a work around to make ADUs into STRs (short-term rentals). This bill is just a backhanded way of claiming protection of private property rights (which you legislators are grossly pushing and abusing), but the authors fail to recognize established residential owners have a right to protections too. This bill removes the power of cities and townships to have practical restrictions on development that are for the health, safety and welfare of a community. The power needs to stay with municipalities!

Mark Blaha

Self. Sr. Director of Litigation Support

Plano, TX

I'm opposed to any legislation that preempts local zoning ordinances that address short term rentals.

Sandra Lopes lopes

Self

Fate, TX

Don't want it. One of the reasons I moved from Ca!!!

Debra Brown, Dr.

Self/ Doctor

Plano, TX

STRs are health hazards. There is no oversight for cleanliness or sterility like commercial hotels have (OSHA). Hepatitis B and C can live on surfaces for 72 hours without being visible. HIV is shorter. Contaminated blood and body fluids can be rinsed off but unless treated appropriately and with sterility... they are still contagious.

Rick Spletter

self

Heath, TX

Please DO NOT let this bill pass. It is not good for Texas!

Roxane Malecek

self

Plano, TX

PLEASE VOTE NO TO THIS BILL! We have three air BnB's in our neighborhood and they are a pain! There is noise at all hours of the night. People out roaming the streets, swimming with loud party noise well into the evenings, people can't let their young children play outside because random people are 'hanging out' in front of the houses smoking and watching what all the neighbors are doing. They DON'T CARE about the neighborhood - they just want to have a good time. We've had lots of trash left in alleys because they overfill the bins; in general they are a HUGE nuisance. We bought out home expecting it to be a residential neighborhood, not being rented out on a nightly/weekend basis. You wouldn't want to live next door to one - don't make others do it!! Thank you.

Lori Green

Self

Plano, TX

We strongly oppose this bill and any other bill that allows the possibility of a short term rental in a single family neighborhood.

Mark Kipphut

Self

McLendon-Chisholm, TX

As a homeowner, I stand opposed. Municipalities should have control over planning and zoning functions, including the ability to build additional structures, including accessory buildings, on lots within a city. Unbridled construction will create requirements for additional infrastructure and services, including public safety, that will place undo burdens on existing property owners. Furthermore, we don't need Auston taking away more authority from our cities. Texas is NOT California or New York.

Cynthia Allen

Self

Heath, TX

I stand absolutely opposed to this bill. It is antithetical to communities who wish to determine their own future and plan accordingly. There is no regulation that prohibits communities to allow for this type of high density housing if they wish to adopt such. But having this forced on each and every Texas community is a de-facto take over of every local government by the state. Leave local communities alone to determine their own course in accordance with the wishes of their residents. Representative Holland withdraw this anti-democrat bill!

Andrew Muras

Self and TX Neighborhood Coalition

Grapevine, TX, TX

My name is Andrew Muras from Grapevine TX and I run a neighborhood coalition that includes Grapevine and other surrounding cities – representing interests of hundreds in our area who are unable to make it to Austin. I’m also on Grapevine’s Board of Zoning Adjustment, where I’ve had a front row seat on the importance of zoning and local control for land uses. I’m asking you to vote no for HB2789.

Many of you already know this, but Zoning rules are like rules in baseball or golf. Some can seem weird and archaic, but there’s a reason for them, and without them the game turns into chaos. This bill would lead to such chaos in cities.

We often hear, “I can do what I want with my property.” Unfortunately that’s a nascent view of property rights. Property rights are never unlimited. When we move into dense cities, we willingly give up some property rights for the benefits of living in community. Additionally, one person’s property rights can’t impinge on another’s, and this bill would impinge the rights of untold numbers of others.

Last year in Tarrant County, half of all homes were bought by investors. What’s the first thing investors would do? Build 1 or more ADUs on every property to maximize their return – and rent these out as short-term rentals. And we all know the problems and increased costs associated with STRs, from increased crime to noise, to parking, etc. – lots of impinging on neighbors’ rights

I’m a conservative – and our approach is always to let those closest to the problem solve it. Do Austin legislators know the detailed zoning, housing needs and applicability of ADUs in GV or Southlake or Coppell? We don’t want the US gov’t messing with state business – and we don’t want the state messing with city business – and that’s what this bill does.

ADUs might be appropriate for some locales – and not for others. And that’s the point, there’s no one size fits all approach for TX. We need our local officials to have control – and the voters to have their say and vote them out if they don’t like what’s happening. That is the conservative approach versus edicts from the state on local land use.

In summary, this bill is anti-conservative and basically eliminates single family zoning. Why are TX legislatures taking away this property right from Texans?

Ed Reed, Mr

Self

Port Aransas, TX

In our City, zoning prohibits Short Term rentals in R-1 neighborhoods. Under this bill could the accessory dwelling unit be a Short Term rental, bypassing the City’s zoning rules ?

Janine Lund

Self, adjunct teacher at Tarrant County College, officer in Crestwood Neighborhood Association

FORT WORTH, TX

I oppose renting or selling ADUs in neighborhoods that are designated for single family use. Single family residential means exactly that. Everyone who buys property in a residential neighborhood knows or should know that it is zoned residential only. We rely on that zoning protection to have a liveable neighborhood.

It is well documented how allowing STRs supplants affordable housing in many parts of the state and the country. See the Texas Monthly article (2/9/2023) about the "Bro-tastic Party Mansions Upending a Historic Austin Community" which turn a vulnerable community into a theme park for hard partying tourists. This can happen anywhere. <https://www.texasmonthly.com/news-politics/inside-bro-tastic-party-airbnb-gentrifying-east-austin/>. We do not want STRs in our residential neighborhoods; do not remove local control.

Local government zoning has the best ability to respond to local needs, not a state-wide requirement for how ADUs are implemented. Our neighborhood organizations have vigorously opposed short term rentals in single family zoned areas. We continue to vigorously oppose state-imposed mandates that seek to override local control on short term rentals.

Wavel Brown

My self

Port Atansas, TX

This bill actually takes away the rights of individual homeowners to plan and/or anticipate the qualities of a neighborhood when they invest in property, be it a home or business. I cannot believe this is being considered as it chips away at the fundamental rights of a home buyer to chose an environment with some expectation of stability. ABSOLUTELY NO

Gary Nickel

Self; retired engineer, NASA-JSC (Houston), now living in Rockwall

Rockwall, TX

HB 2789 - a bill to allow ADU dwellings to be built in neighborhoods zoned for single family homes. I am opposed to any attempt by the State of Texas to thwart local zoning laws and permit property owners and/or developers to construct additional living spaces where they are not currently permitted. Adding such units would lower property values throughout the neighborhood and the city as well as stressing traffic, parking, schools, medical facilities, police and fire departments, and increase demand for city water that is already at critically low levels. Thank you.

Aaron Williams

Self - Engineer

Dallas, TX

If the State of Texas wants to preempt cities in the matter of Short - Term Rentals (STRs) within residential neighborhoods, then the State should ban STRs, not support them. I invite members of the Legislature to stay at my house, which is next to an STR, to see how they would like to live nearby the parking issues, crime, drugs, and parties that STRs bring day in and day out.

Stacey Keeling

self

Rockwall, TX

Please do not pass this! We have a water shortage where we are in Rockwall county and have actually had days with NO water. Allowing more density to go unchecked would be detrimental!!

Mark Pulliam  
Self portfolio manager  
Plano, TX

I am writing in opposition to HB2789 that would force a city to allow accessory dwelling units. A city's ordinances are a reflection of the history, development patterns, and philosophy of a local city government as expressed by its citizens. The citizens of a city should determine if it wants to allow additional density in a zoned area, then that city can amend its ordinance to do so. The state should not exert its authority to override the city's ordinances. If the city wants to allow additional density, then the city can determine where, how many and under what scheme it chooses to allow accessory dwelling units.

This bill is a residential real estate industry lobby bill, chasing commissions and inflated property values for a select few properties, with the cost of the increased density borne by homeowners that do not want it. This bill would destroy single family residential zoning. The state should not dictate the zoning that a city might determine that is best for it.

HB2789 should not be voted out of committee.

Thank you.

Ethel Lady  
Self  
Arlington, TX

Please vote no. Protect our homes!

WILLIAM SCHLEGEL  
Texas Neighborhood Coalition, Keller Chapter  
Keller, TX

I am contacting you to express my strong and adamant opposition to House Bill 2789 which has hearings in the House Land & Resource Management Committee. If this bill were to ever become law, it would wreck my neighborhood and many other neighborhoods across the State. This bill would allow any home in any neighborhood to be used as a permanent party house. I know of no one who would want to live next to a home used as a party venue with a continuous parade of total strangers partying next door. I already have a STR next door to me that rents by the weekend on VRBO and AirBnB. We have had documented safety concerns with one particular party ending with the confiscation of 5lbs of marijuana and arrests with weapons charges. The additional concern is the impact on the value of my home as no one would purchase a home next to an STR.

Margaret Johnson  
Self retired  
Fort Worth, TX

I oppose renting or selling ADUs in neighborhoods that are designated for single family use. Single family residential means exactly that. Everyone who buys property in a residential neighborhood knows or should know that it is zoned residential only. We rely on that zoning protection to have a liveable neighborhood. If this were to ever become law, the bill would wreck my neighborhood and a multitude of other neighborhoods across the State.

Diane Machado  
Self - Consultant  
Heath, TX

OPPOSE HB 2789 - Relating To Regulation of Accessory Dwellings Units (ADU) by political subdivisions.

I am a constituent in Justin Holland's district, and am appalled at his authoring of this bill. This bill has nothing to do with property rights, and is a land grab for realtors like Holland and investors to expand their marketplace. This bill will take Texas one step closer to the disaster that California is. Our infrastructure (water, sewer, electricity, etc) is already taxed and adding additional units will over-burden the system. Traffic in the past 5 years has become gridlock. Our nice neighborhoods will become multi-dwelling nightmares. Crime will skyrocket. This bill is NOT about "property rights"- it is a pure and simple land grab by greedy politicians, the Texas Realtors Association and investors such as Blackrock. The good people of Texas do not want our rights INFRINGED as this bill will do.

I reside in Heath (Rockwall County) and this bill will absolutely destroy this community, and so many others. Please VOTE NO on HB 2789. Thank you. Diane Machado

Kriste Wilkerson  
Self  
Royse City, TX

This bill is terrible for Texas homeowners!! We don't have enough water, electrical grid capacity as it is now. Adding these changes in this bill will be catastrophic and must NOT pass.

Sarah Searight, Property owner in Old Town Port Aransas Tx  
home owner in Port Aransas  
Austin, TX

I Oppose HB 2789 STOP large Short Term Rentals in long term residential neighborhood in Port Aransas

Dalton Coe  
Self Human Resources  
Dallas, TX

I am contacting you to express my strong and adamant opposition to HB 2789, if it were to ever become law, it would wreck my neighborhood and a multitude of other neighborhoods across the State. I know of no one who would want to live next to a home with a ADU being used as a party venue with a continuous parade of total strangers partying next door.

It would immunize the STR platforms, such as Airbnb and VRBO, so that they could flat out refuse to cooperate in any way with a city's efforts to enforce its rules for short-term rentals, such as the requirement that permit numbers be displayed. This does not deserve a hearing before the Committee.

Jo Krueger, Ms  
Self. Property Management  
Port Aransas, TX

I oppose

Ann Murphy  
Self  
Fort Worth, TX

I can find no reason this bill would enhance my neighborhood or my property. Rather, it would make living here much more difficult. More traffic, more parking issues, more crowded lots, and more disturbance with noise and unruly parties. Please vote against this bill, and keep our neighborhood peaceful and safe.

Cathie Alexander

Self -Higher Ed Administration-retired

Plano, TX

Would you not agree, local control of issues is more representative of a community desires? I do not want the State to mandate how a community/city will govern and meet the needs and desires of a community's citizens.

The vast differences in communities should allow their citizens to determine if short term rental (STR) in residential settings are appropriate. For cities with entertainment venues and attraction, STR may be acceptable to it home owners and neighborhoods while other, more suburban setting, STR would be a disturbing influence to the fabric of a neighborhood.

Please return this issue to local control where each community can respond to and reflect their constituents wishes in rules governing STR.

Rob Hundza

Self - COO

Dallas, TX

The concerns over short term rentals in residential neighborhoods are many. Neighbors are fearful to let their children out around these STR's, due to the unknown and unmonitored clientele. Personally, I feel like we are one bad rental away from bullets coming into our back yard. In addition to the safety concerns, I am also concerned about the impact on the affordability of homes for young couples like we were, trying to move into a good neighborhood and school district. These outside buyers seem to be contributing to in spike in residential home prices. There is also the reality that these owners, do not maintain the homes and yards as well as a family would.

I believe that the continued proliferation of Short Term Rentals, in single family neighborhoods, will continue to undermine the fabric of our communities, and the local schools associated with these neighborhoods. I implore you to vote in opposition to HB 2367.

Thank you for your consideration.

mike long

self

Dallas, TX

You have an opportunity to stop the unnecessary shootings, human trafficking, and other crimes inherent in STR's by resisting the barrage of money from those that promote such BUSINESS entities. Of course not every STR has such issues, but there is too much empirical evidence that YOU ARE AWARE OF that it exists, and not just infrequently. The TX Neighborhood Coalition website is filled with evidence of such cases, including my experience in Dallas.

Therefore, any action, or lack thereof, on your part that does not end the practice of allowing STR's in residential neighborhoods is a clear indication that you have no moral, ethical, or legal problem with neighborhoods that suffer shootings, human trafficking, and other crimes, at said neighborhood STR's in the State of Texas. So if the Bill is passed, then the next such occurrence after the vote is on you, and the future of your public and political records will reflect such.

daniel burkhart

self

PLANO, TX

I am strongly OPPOSED to this accessory dwelling unit (ADU)/short-term rental preemption bill. This bill would force cities to allow two or more dwellings on any lot zoned as single-family residential, with no limits on the use of these ADUs for short-term rentals. As seen recently in Plano, one of these short term rental properties was used as an illegal BROTHEL in a residential neighborhood. Another short term rental being used as a "party house" in a residential neighborhood was the site of a shooting.

I urge the committee to reject this accessory dwelling unit bill due to the dangers and negative effects such properties cause to law-abiding residents of these neighborhoods.

GRAHAM PEARSON

Homeowner in Fredericksburg Texas

FREDERICKSBURG, TX

Having worked closely with several Texas State House Representatives, including Doug Miller and Kyle Biedermann, and now working with Senator Pete Flores and Representative Ellen Troxclair, I understand how frustrating it is for our State lawmakers to accommodate cumbersome Federal mandates passed down to our great State of Texas.

So you can understand how frustrating it is at the local level to have to accommodate State laws which limit or reverse the progress we have made in our community to preserve our rich heritage and keep our neighborhoods safe and enjoyable to live in.

Such is the case with House Bill 2789. If passed, this bill will have a negative impact locally and limit the power of our City Council to address issues that are important to our community. Indeed, we voted for them to take care of such issues.

Local governments such as our City Council and County Commissioners are our community's first line of defense. They live and die by the decisions they make. If the majority of their constituents consider their decisions imprudent, they are easily removed from power.

Please remember this when you consider House Bill 2789. Do not hamstring our local elected officials. They know what's best for our community. I implore you to vote against the passage of Bill 2789.

Sincerely,  
Graham Pearson  
408 East Morse Street  
Fredericksburg, Texas 78624  
me@grahampearson.com  
830-733-7435

Jessica Black  
Texas Neighborhood Coalition  
Arlington, TX

While I understand & appreciate the need for cities to explore ways to increase the supply of affordable housing, since this bill prohibits cities from restricting the rental of ADUs, instead of increasing the supply of affordable housing, there is nothing to prevent ADUs from becoming short term rentals used as commercial businesses lodging instead of housing.

As the study I have provided shows, a proliferation of short term rentals with a revolving door of transient strangers in a neighborhood diminishes the safety of neighbors & leads to a corresponding increase in crime due to erosion of the social fabric of the neighborhood. If the intent of this bill is to increase housing supply, cities must maintain the right to prohibit the use of ADUs as short term rentals.

I'm also concerned that the other restrictions in this bill could place a strain on existing infrastructure & city services, resulting in either an increased tax burden or reduction in city services for residents. The restrictions could also create issues with runoff, flooding & erosion that will impose costs on & harm the property rights of neighboring homeowners. These type of land use decisions and assessments of housing needs are best made at local level where residents can provide input & local elected leaders can take into account the unique needs, challenges & concerns of their community. I respectfully ask you to vote no on HB 2789.

Karen Boyd  
Self  
Royse City, TX

No please no  
Don't do this to TX. Follow the money and see who is finding this nonsense

Alexandria Godwin  
Self, Corporate Content Developer  
Irving, TX

I am contacting you to express my strong and adamant opposition to House Bills 2367 and 2789, both of which have hearings in the House Land & Resource Management Committee. If either were to ever become law, they would wreck my neighborhood and many other neighborhoods across the State. The first bill would allow any home in any neighborhood to be used as a permanent party house. I know of no one who would want to live next to a home used as a party venue with a continuous parade of total strangers partying next door.

The second bill would allow anyone to build one or multiple extra dwellings, called ADUs, in their backyard, without restriction, and rent out as short-term rentals or other types of party houses and event centers. I bought my home in a residential neighborhood to ensure I'd have a safe and quiet place to raise my family. There would be no protection to us homeowners whose property rights and quality of life are impaired by ADUs and the disruptions they bring. Whether or not ADUs are appropriate for a particular community must be a decision made by local authorities who know local conditions and are answerable to local voters. Let my vote count!

Thank you for your time and consideration. Please vote NO to HB 2789.

Linda Schroeder, Mrs  
Tx neighborhood coalition Plano chapter  
Plano, TX

We lived across the street from a STR for approximately two years. This is a very quiet neighborhood situated on a cul-de-sac. Often times the numerous parked cars would block our mail boxes causing us not to get our mail. It also made it difficult to enter or leave our drive ways. If a home owner had company, it was difficult to find a place to park for our guests. There were people milling around night and day. On one occasion I had to take our dog out about 2 am. There were people laughing, talking, smoking and leaning against the cars listening to loud music. To say I felt unsafe would be an under statement. Trash from the STR was a big problem. We home owners pay for yard service. We don't appreciate the trash and garbage blowing into our yards from the STR. The neighbors on the corner had people often looking for the rental. Knocking on their doors at all times during the nights and wee hours.

Buying a home is a major purchase and we deserve to enjoy our property peacefully and safely. Why should we put up with shootings, prostitution and murder just because another person wants to make a few bucks? Plano is a great city and we need to keep it that way. Neighborhoods are NOT zoned for business. These STR have no place in our neighborhoods. Put them in areas which have been zoned for business. Do we need more shootings, murder and prostitution to get them out of our neighborhoods? I think we have endured quite enough.

Linda Schroeder  
Mike Overby  
1012 Orlando Circle  
Plano

J Sinski  
Self  
Kerrville, TX

I oppose HB 2789

Kathryn Dyer  
Self  
Rockwall, TX

I am against this bill...it will take control of how our neighborhoods function away from the people who actually live there and give more power to corporations who may not even be locals. This will fundamentally change our neighborhoods and potentially affect the safety of our children.

John Mckinney  
Me  
Port Aransas, TX  
I oppose

Brenda Helmer  
self, a tax payor  
Fort Worth, TX

I OPPOSED the use of "accessory" dwellings in my single family, FAMILY, neighborhood ... thank you for voting NO ...

Martha Townsend  
Self  
San Antonio, TX  
Oppose

Rob Thomas  
Self - Consulting  
Dallas, Texas, United States, TX

After living next to the illegal VRBO party house at 8334 Banquo Dr. Dallas TX 75228 for 2 years while having my family's peace disturbed almost daily, I can offer without any doubt, hesitancy or pause my vehement opposition for this ridiculous bill. I hope that you will smash this offensive bill that would contribute to destroying every neighborhood in our state.

Mark Grosse  
Self  
Port Aransas, TX

I strongly oppose this bill. Regulation of ADUs & STRs should be left to local municipalities. The state has no business regulating them.

Lucille Gerbig  
Self  
Port Aransas, TX

I oppose H-E-B 2789

Donna Welder  
Self  
Victoria, TX

I oppose this bill. This takes away the rights of residents and gives them to short term rentals and condominiums. Truly a bad bill. Keep Texas beaches open for everyone!!

Geoffrey Kemp  
Self  
Royse City, TX

Not sure what this bill is supposed to be accomplishing other than abolishing cities rights to regulate growth of neighborhoods, setback lines, parking, on street parking (and potential to block emergency vehicles), traffic, school population, overcrowding, Californication of properties, tax grab, etc.  
This bill should be stop immediately, it reads as nothing more than a real estate developer and his business trying to slide a crappy bill through to line his pockets. Vote no, because I'll be voting Holland out next election.

Michaela Wood

Self

Heath, TX

This bill would make Heath lose all of it's charm. And renting will increase density. I do not want this bill to pass.

Phillip Gorman

Whispering Hills Neighborhood Association

Dallas, TX

March 28, 2023

Representatives of the House Land and Resources Committee,

I would like to file testimony to the Land and Resources Committee about the harm that comes to Single-Family Homeowners when unknown Investors that do not live in the property ignore city laws, ordinances and zoning regulations for only their financial benefit. I highly oppose HB 2367 or HB 2789 whether there is an on-site operator or not.

As Crime Watch / Volunteer in Patrol Coordinator for my neighborhood of 615 Single-Family residences in far Northeast Dallas, I receive reports from many residents about issues that they fear is dangerous to their safety in their homes. Since 2019 when the first occurrences were reported of a property that was being rented on a platform for less than 30 days of rental, I have received at least 22 documented reports from residents (See Attached excel report).

The most serious of the reported incidents involved a party where one person called Dallas Police for being punched in face in the front yard. During a second incident, a homeowner's security camera and found that two males went out with AR-15 style weapons to hunt down a neighbor who had banged on the front door about loud music during early morning hours two hours apart. Fortunately, the resident was able to cross the alley and get back in his house before the Airbnb guests grabbed their weapons. One of guests made a second survey for resident about 2 hours later.

A third incident from the same house found a woman passed out in her white Cadillac after an all night party when next door residents tried to exit the alley to take their two young children to morning soccer games.

In other incidents that scared the devil out of nearby neighbors were the parties where 20 to 60 cars block both sides of streets and alleyways so that emergency vehicles can not get through if there was an emergency. Neighbors report that at these parties 15 or more individuals are seen standing in front yards and streets yelling at each other while others are sitting in cars in the back alley using drugs in plain sight.

My feeling is that you will only realize that this is not good for Residentially Zoned Neighborhoods is when one or more move in next door to you. At that time, then you will realize that you can't let your kids or other family members enjoy their front or back yards in peace and quietly.

Sincerely,

Phillip M. Gorman – Whispering Hills N.A. Crime Watch Coordinator, Dallas PD Reporting Area #9606

10139 Bettywood Lane, Dallas, Texas 75243

David Higdon

College Station Association of Neighborhoods and Emerald Forest Homeowners Association

College Station, TX

Texas Home Rule is the bedrock of our strong communities. HB 2789 is an attempt to usurp the responsibility and authority of our local city councils to establish and maintain our land use regulations. Every community has the right to set their land use restrictions in accordance with their needs and desires. Not every city has the infrastructure, neighborhood capacity, or need to allow ACUs to be built. The neighborhoods of College Station are strongly opposed to this usurpation of our rights to determine our land use regulations.

KC McClain, Maj Gen (RET)  
TX Neighborhood Coalition - Plano  
Plano, TX

As President of the Villas of Glen Meadows HOA, I am submitting this for my community. We are unanimously & vigorously opposed to any legislation that facilitates short-term rentals in areas zoned for single family housing. Our neighborhood is long established with strong bonds between neighbors. We help each other, we know each other, we trust each other. We do not understand why our legislators would support legislation that weakens the bonds that build resilient communities, that support schools, and welcome people to be part of the community.

Diana Wood  
College Station Association of Neighborhoods  
College Station, TX

The neighborhoods of College Station have been active in interacting with our elected officials to get necessary changes to protect our neighborhoods from overcrowding and unplanned strains on our infrastructure and tax burden. This system has worked well because it requires local officials to be answerable to their constituents. HB 2789 erodes the authority and the responsiveness of our local city councils by mandating allowing the construction of ADU's regardless of the desires or physical restraints of that community. We want local control over our land use restrictions.

Peter Huang  
self  
Richardson, TX

I am contacting you to express my strong and adamant opposition to House Bill 2789, which has hearings in the House Land & Resource Management Committee. If this were to ever become law, they would wreck my neighborhood and many other neighborhoods across the State.

This bill would allow anyone to build one or multiple extra dwellings, called ADUs, in their backyard, without restriction, and rent out as short-term rentals or other types of party houses and event centers. I bought my home in a residential neighborhood to ensure I'd have a safe and quiet place to raise my family. There would be no protection to us homeowners whose property rights and quality of live are impaired by ADUs and the disruptions they bring. Whether or not ADUs are appropriate for a particular community must be a decision made by local authorities who know local conditions and are answerable to local voters. Let my vote count!

Thank you for your time and consideration.

Laurie Slack, Mrs  
Self  
Coppell, TX

I oppose this bill. I oppose all STR in our city. It is not appropriate and should be the right of the city to decide they don't want them.

Tina Beaver  
Self  
Rockwall, TX

Property purchased with a specified lot requirement need to stay as such. Keep Texas spacious and beautiful for the citizens and not serve as a cash cow for government or real estate developers.

SUZANNE RAINWATER

self

GRAPEVINE, TX

I want to express my strong and adamant opposition to House Bills 2367 and 2789, both of which have hearings in the House Land & Resource Management Committee. If either were to ever become law, they would wreck my neighborhood and many other neighborhoods across the State. The first bill would allow any home in any neighborhood to be used as a permanent party house. I know of no one who would want to live next to a home used as a party venue with a continuous parade of total strangers partying next door.

The second bill would allow anyone to build one or multiple extra dwellings, called ADUs, in their backyard, without restriction, and rent out as short-term rentals or other types of party houses and event centers. I bought my home in a residential neighborhood to ensure I'd have a safe and quiet place to raise my family. There would be no protection to us homeowners whose property rights and quality of life are impaired by ADUs and the disruptions they bring. Whether or not ADUs are appropriate for a particular community must be a decision made by local authorities who know local conditions and are answerable to local voters. Let my vote count!

Let my vote count!

Debra Copley

Foxhollow HOA

Plano, TX

I have lived for almost 29 years in the same small neighborhood, Foxhollow Estates, in Plano, Texas. It is a quiet 86 home neighborhood, close to all 3 levels of PISD schools, a recreation center and a library, some great parks. Homes in our neighborhood have historically been sought after and in demand by families with children. We welcome all new neighbors. HOWEVER, we are not interested in becoming a site for weekend parties, unwanted noise and traffic, trash, and absentee owners. Our neighborhood worked together during the "big freeze" of 2021 to help out those who pipes burst, bring extra space heaters where needed, turn off water at the meter at homes, and provide shelter for those who had lost power. This is what a neighborhood does. We come together ... because we are a community. Community is NOT built by hourly or weekend party goers ... or vacationers. You need housing for a weekend .. go to a motel, hotel or B&B. That is what those are for.

Community is built by knowing your neighbors ... have common ground ... looking out for one another. To have a revolving door of "visitors" to a home in a residential neighborhood is counter to building community. The impact on a neighborhood of a short-term rental property is real .... the "paying guests" have no vested interest in keeping the property clean, of accommodating the noise restrictions, and parking rules, of obeying residential speed limits. Short-term rentals bring a large amount of uncertainty to the neighborhood. Maybe it will all be fine, but maybe it will be a brothel (happened one street away), or a shooting (also in Plano), or even just party noise keeping your kids awake all night, and trash tossed all over. It is a nuisance that is negative, and destructive to building a community.

There are plenty of housing alternatives to accommodate those with short-term needs. I urge you to allow communities in Texas to create their own standards and rules, that best serve their residents.

ROBERT RAINWATER

self

GRAPEVINE, TX

I want to express my strong and adamant opposition to House Bills 2367 and 2789, both of which have hearings in the House Land & Resource Management Committee. If either were to ever become law, they would wreck my neighborhood and many other neighborhoods across the State. The first bill would allow any home in any neighborhood to be used as a permanent party house. I know of no one who would want to live next to a home used as a party venue with a continuous parade of total strangers partying next door.

The second bill would allow anyone to build one or multiple extra dwellings, called ADUs, in their backyard, without restriction, and rent out as short-term rentals or other types of party houses and event centers. I bought my home in a residential neighborhood to ensure I'd have a safe and quiet place to raise my family. There would be no protection to us homeowners whose property rights and quality of life are impaired by ADUs and the disruptions they bring. Whether or not ADUs are appropriate for a particular community must be a decision made by local authorities who know local conditions and are answerable to local voters. Let my vote count!

Let my vote count!

SUZANNE RAINWATER

self

GRAPEVINE, TX

This proposed bill is so flawed that it would even force cities across TX to tolerate STRs at any accessory dwelling unit (ADU). If your neighbor doesn't have an ADU in their back yard, no problem. They can go build one, or two or three and rent out as STRs, and without almost any city restrictions. This would be the end of single family residential neighborhoods.

What do Austin legislatures know about housing needs and ADUs in Ft Worth and Grapevine and Southlake and Arlington and New Braunfels and many other cities across TX. Some communities may believe that they should have ADUs, but many will no doubt oppose them. This bill is an indefensible usurpation of the traditional powers of local government to manage land use and should not be an edict from on high forcing a state-wide mandate on the many diverse communities in TX. Whether or not ADUs are appropriate for a particular community must be a decision made by local authorities who know local conditions and are answerable to local voters

ROBERT RAINWATER

self

GRAPEVINE, TX

This proposed bill is so flawed that it would even force cities across TX to tolerate STRs at any accessory dwelling unit (ADU). If your neighbor doesn't have an ADU in their back yard, no problem. They can go build one, or two or three and rent out as STRs, and without almost any city restrictions. This would be the end of single family residential neighborhoods.

What do Austin legislatures know about housing needs and ADUs in Ft Worth and Grapevine and Southlake and Arlington and New Braunfels and many other cities across TX. Some communities may believe that they should have ADUs, but many will no doubt oppose them. This bill is an indefensible usurpation of the traditional powers of local government to manage land use and should not be an edict from on high forcing a state-wide mandate on the many diverse communities in TX. Whether or not ADUs are appropriate for a particular community must be a decision made by local authorities who know local conditions and are answerable to local voters

Chris Lopez

Self

Heath, TX

Please do not pass this bill it will end our country style of living by overcrowding our life style and take away our property rights. I have worked hard to enjoy this way of living. It is already bad enough that our community environment has changed due to the boarder crisis and will overcrowd our schools and bring more crime. If this bill passes you can be sure you will be voted out.

S Johnson

Self

Fate, TX

I stand opposed to the use of MUDS to overload the resources and our infrastructure. I stand for this and will fight to protect the safety, tranquility, and quality of life of its people.”

Thomas Haase

Self/ Retired Educator

Fort Worth, TX

I am contacting you to express my opposition to House Bill 2789. If this were to become law, it would ruin my neighborhood and others across the state. HB 2789 would allow anyone to build one or more extra dwellings in their back yard, without restrictions, and rent out as short-term rentals or other types of party houses. I bought my home in a residential neighborhood to ensure I'd have a safe place to raise my family. There would be no protection to us homeowners whose property rights and quality of life are impaired by this bill.

Thank you for your time.

Thomas G Haase

Gloria Holt

My Self. Retired

Port Aransas, TX

I oppose this bill. Cities need to be able to determine this issue.

Lillian Weaver, Mrs.

Self

Heath, TX

I am opposed to HB2789 for the following reasons:

It effectively converts single-family residential neighborhoods into multi-family housing.

Even though many cities currently allow an ADU (i.e. guest house) in single-family zoning districts, they specifically do not allow these ADU's to be rented or sold to someone outside the primary homeowner's family. Single-family zoning districts are exactly as named, single-family housing not multi-family housing.

The city's ability to enforce single-family housing is the primary tool that allows cities to prevent single-family residential neighborhoods from being overrun by multi-family housing/apartments/rentals, and to prevent excessive density, overcrowding, etc.

HB2789 overrules the city's ability to enforce and protect traditional single-family housing; thereby allowing land-lords and real estate investment companies to buy houses, or groups of houses in residential neighborhoods and convert them to multi-family housing/apartments/rentals.

Attempting to shift this responsibility of enforcement and protection from cities to HOA's is not realistic nor effective. HOA's simply do not have the financial, legal, or enforcement resources to prevent multi-family housing from taking over their neighborhoods.

HB2789 is being portrayed under the false pretense of "property rights", but it actually eliminates the rights and protections for the billions of dollars Texan's have invested in their homes and neighborhoods across the state.

Please help maintain the traditional single-family neighborhoods throughout our great state.

Olive Talley

myself and the Dallas Neighborhood Coalition

Dallas, TX

Have you never heard of property rights through zoning?

I'm one of hundreds of thousands of single-family homeowners in Dallas who bought my home to live in a residential neighborhood next door to families and people in a cohesive neighborhood.

I find it hard to believe that in Texas, of all places, that any state lawmaker would want to become the poster child for blowing up all zoning across the state and tell millions of homeowners that you have removed our zoning rights with the swipe of a pen with no statewide debate or notification process.

Are you aware that this is a lobbyist-support bill, backed by the giant international booking platforms like Airbnb, that has a side business to build, and market ADUs? The short-term rental industry is hellbent on gobbling up more and more houses and converting them to lodging and business uses to feed their insatiable thirst for profits -- at the expense of neighborhoods and housing for people who actually want to live and work in residential communities and not just visit.

I cannot do justice to the dangers and horrors of this bill in this amount of space. I wrote a piece for a real estate blog in Dallas a few years ago when a councilman tried promote an ordinance to allow ADUS by-right in Dallas and the backlash was tremendous. Lawyers for the city informed zoning officials that they would need to give public notice to every single-family homeowner in Dallas, costing millions just for the notification process alone. Here's a link to my piece:<https://candysdirt.com/2020/08/25/want-to-preserve-the-character-of-your-neighborhood-oppose-adus/>

This is an ill-considered bill with terrible consequences for residential neighborhoods throughout the state. This bill deserves to die in committee and never see the light of day.

Please use your powers to do good, not evil things with unintended consequences simply to appease a lobbyists for a \$8.4 billion company like Airbnb and other technology platforms that are trying to skirt and usurp local control to establish their own zoning laws for the safety, health and welfare of their communities.

Since when does the state, especially the GOP-led state, want to remove all local control? What an abusive tactic that will disrupt and ruin residential communities everywhere. This should remain a matter of local control and not the purview of lawmakers who meet every other year. And especially to dictate development rights that impact every single-family home in Texas.

Please stop this insanity now and kill this bill in committee.

Thank you for your consideration.

Edward Moore

self / actuary

Plano, TX

I am writing to express my opposition to HB 2789. which as law would damage the integrity of my family-oriented neighborhood and other such neighborhoods across the state. Thank you.

Jeffrey Marthers

Myself

KELLER, TX

Short Term rentals provide no value to any single family zoned area and devalue any homes in proximity to them. Who wants to buy a single family home next to an unregulated short term rental with unknown renters for unknown periods of time. Think about it. There are no regulations regarding owners minimum liability insurance, etc. I live next to one of two on my street. One has already been popped by the P.D. Guess what ? Drugs and guns found? Anyone who allows or owns a STR in a single family residentially zoned should also assume the liability. Its not if somethings occurs. It will be when. Just a question of time. Please reconsider.

Douglas Gorrie, Mr  
Selg; IT Auditor (retired)  
Plano, TX

Similar to other real estate-related bills, this piece of legislation is obviously designed to bypass local city and county jurisdictions, effectively rezoning single-family neighbors to allow short-term rentals, while negating any realistic ability for local cities and counties to regulate such activities. As with other similar legislation, it is written only to benefit those with property they want to rent out as short-term rentals and similar activities, which owners of the vast majority of single-family homeowners strongly oppose.

Recent issue involving STR's have been widely documented, including brothels and shootings, and lots of cities are passing, or trying to pass legislation to address such city-wide concerns. Proposed legislation such as HB2789 are obviously written to circumvent current efforts by cities to protect their residents, rather than protect those that want to convert their commercial ventures into STR's.

At least some of the current legislators within the Texas House own full-time business buying/selling/renting such properties, creating an obvious conflict of interest, yet they still initiate and promote such legislation for their benefit, and their comments to the contrary should be recognized for what they are.

I ask that HB2789 be locked in place and never see the light of day!!

Thank you for your time.

Christina Patoski  
Self - journalist  
Fort Worth, TX

I am opposed to this bill. Single family zoning is very important to the character of our cities. This bill, if adopted, would radically change our cities.

Jeffrey Hebig  
Self/Retired  
Plano, TX

We have lived in our home in Plano for over 25 years. We have a quiet neighborhood with peaceful neighbors. Recently, a short term rental home has opened about 200 yards from our home. This "establishment" is poorly managed, the street is now filthy with rubbish, there is loud noise on most weekends. It is absurd and not what a residential neighborhood is supposed to be.

On your particular bill, don't make the same mistake as the bureaucrats in DC. DO NOT attempt to legislate from Austin. Allow the local municipalities decide what is best for their residents.

Pam Klee, Homeowner  
Self/permanent resident  
Port Aransas, TX

I oppose!

Mark Roberts, CPA, CFA  
self/Managing Director  
Grapevine, TX

I strongly oppose H2367 and H2789. These bills take away the local control over residential zoning areas and allow residential home owners to frankly, convert residences into a business without local zoning boards and neighboring residence input. These bills allow residential homes to become event venues without taking in to account the NEGATIVE impact temporary rental homes (event venues) have had on neighborhoods, towns and cities nationwide. This is particularly a serious issue for neighborhoods with high-density housing and limited parking.

Samantha McDonough

Na

Port Aransas, TX

I oppose HB 2789

Pat Cantwell

self, retiree

Fredericksburg, TX

I moved to Fredericksburg 45 years ago. I wanted a good small town to raise my children. I bought my historical home over 30 years ago in a neighborhood with mostly older residents. I loved my house and neighborhood and felt safe and welcomed by my neighbors. Then a few years back, that began to change, as my neighbors got older and either passed away, or moved to nursing homes. Their homes were sold, mostly to STR owners as our street is 5 blocks from Main Street, convenient location to the grocery store for me, but even more lucrative for STR owners. Now I have 2 rentals on either side of me and 1 behind me. I never wanted to live by a hotel. The problems with parking and noise happen almost every weekend. Our city council has been working on regulations to control the STRs. This bill would take any control we may have to regulate out of our hands. No local wants to live next door to a house with extra ADUs added, unregulated! I know the tourists come to have a good time, but they come and go, we LIVE here. There has to be regulations to limit the amount of buildings allowed on a lot in a neighborhood, or we could end up with "mini hotels" next to private residences. And extra people mean extra parking needs, extra noise generated, extra possible problems. All the result of the state taking the power of local regulations out of the hands of the local city officials. Please, Please, Don't do this!! Our cities are very capable of regulating themselves.

Deborah Clift

Self - business woman

Dallas, TX

I oppose this Bill. Please allow local residents to decide how to manage STR's.

laurie tietz

Myself and residential single family neighborhoods

Grapevine, TX

I strongly oppose HBs 2367, 2789 and Hancock's Senate bill 1466.

Local government control is a must as they represent, know their city residents, not Austin legislators.

I would not raise a family in my house as I live next to a high density STR sleeps 26.

An out-of-town owner rebuilt a regular house and now a variety of large crowds come in/out

all hours of the night/day. My forever home has turned into a long nightmare as well as for our neighborhood, due to trash, strangers,

beeping, locking/unlock vehicles (had 22 vehicles), walking in my yard, different loud music, constant activity (some suspect), partying, etc.

These bills will wreck the fabric of our neighborhoods. Texas won't be Texas if unique cities are destroyed by these blanket STR Bills.

Why? MONEY !!! For WHO is the question ??? Same question for assault weapons ?

Again, I would NOT raise a family in my house. Local government control and ordinances are necessary due to our state's diversity.

Laurie Tietz in Grapevine, Tx.

Cynthia Paige Palmer  
Self - Realtor & Executive Recruiter  
Plano, TX

This bill would force cities to allow two or more dwellings on any lot zoned and allow accessory dwelling units (ADU's) to be used as short-term rentals. This is a city planning & zoning matter and it's up to my city to protect the integrity of my city and my neighborhoods. This bill is not in the best interest of Texas, our residents, our businesses or economy. There is no good that would come out of this bill. It will ruin Texas and our quality of life and quality of housing, which is what brings businesses and people here. Short term rentals are causing serious issues for residents across Texas. Party houses in the neighborhoods not only impact our quality of life but also bring crime and safety issues. It was just three weeks ago that 30 gun shots were fired in front of my house at a short-term rental. One shot entered a 3-year old's playroom. The STR's are also creating a shortage of homes for sale and lease to the detriment of Texas residents. There is a need for "temporary" housing (30 days or more) for those that are relocating to the area or displaced due to fire/flood/etc. These people can't find anything because the STR owners are charging daily and weekend rates that are 5-10 times higher than a monthly rental, which then only attracts the "party house" use and residents who have a temporary need end up going to a hotel. Visitors should be the ones going to a hotel. As an example, there is a house on Airbnb in my neighborhood. A comparable house would rent for \$3500 month under a one year lease. If I wanted to rent this STR for a month, it would be \$40,000. There are 3 short term rentals on my street alone. The desirability of my house and the value of my house is negatively impacted because who would want to live next to STR's. There are plenty of hotels to take care of "visitors" and if there is not enough supply, hotel developers will build more. This bill would line the pockets of STR owners and be devastating to everyone and everything else. Please do the right thing for Texas residents.

DEE WALLER  
Homeowner of Heath,Tx  
Heath, TX

Please vote against this bill for our community.

Fred Dupriest  
Occupancy Enforcement Alliance  
College station, TX

The fact virtually no suburb in the state allows this should tell you something. The Texas Republican party is aligned with the Texas Realtors Association on this, and not its party members. We're life long Republicans and my wife was the President of the Brazos Valley Republican Women. But it seems the party is literally trying to drive away its core members with one action after another. Virtually all Republicans support home rule and its policy we expect from Democrats seeking to centralize power.. You're losing the middle while chasing the extreme and the selfserving.

Lane Smutz  
Self, real estate appraiser  
Grapevine, TX

Vote no please. Families will be affected. Local cities should decide.

Marsha Wright  
United Neighborhoods of Fort Worth  
Fort worth, TX

HB 2789 would allow anyone to build one or multiple extra dwellings in their backyard, without restriction, and rent out as short-term rentals or other types of party houses and event centers. I bought my home in a residential neighborhood to ensure I'd have a safe and quiet place to raise my family. There would be no protection to us homeowners whose property rights and quality of life are impaired by ADUs and the disruptions they bring. Whether or not ADUs are appropriate for a particular community must be a decision made by local authorities who know what their citizens want.

Deborah Calvin

Self

Plano, TX

I oppose this bill. I live next door to a home used as a short-term rental. That's a problem and this bill will only make the situation worse. The noise, the additional cars parked on the street and the people coming and going at all hours needs to stop, not increase.

Leslie Sagar

Self, Civil Engineer

Keller, TX

I am OPPOSED to HB 2789. This is a regulatory issue that should be decided by local municipalities (and their citizens), not by the State. Please OPPOSE HB 2789.

Janice P Carson, Dr.

Self/Retired

Rockwall, TX

I am adamantly opposed to HB 2789. I am opposed to taking away local governance—especially SF zoned subdivisions and neighborhoods.

The following statement of opposition was written by Shari London of Rockwall, and I totally agree with her:

I am writing to OPPOSE this bill on the strongest possible terms. This bill literally wipes away the notion of a single-family neighborhood in Texas, forever. This bill is EXACTLY what California did in 2019, only they went a step further and applied the restrictions not to just political subdivisions like cities and counties, but applied it to HOAs as well. With devastating consequences. I moved from California 5 years ago and have many friends still living there who have been telling me the horror stories since California SB9 passed.

As currently written, only the MIGHTY POWER OF THE HOA can currently save a Texas single-family neighborhood. Lord help us. What a sad, sad day for Texas. If we have Texas Republicans looking to liberal states like Oregon and California for guidance (as the bill analysis states), then it's likely only a matter of time before HOAs get thrown under this bus just like they did in California.

This bill, authored by a Republican, actually violates Plank 85 of the Republican Party of Texas Platform, which SUPPORTS the ability of cities, counties, and school districts to collect impact fees, to ensure that new growth pays for the IMPACT on governmental services without forcing current residents to subsidize newcomers moving in. The bill states, that if an Accessory Dwelling Unit is small enough, no impact fees can be collected. In fact the bill language limits any other kind of fees associated with building an ADU.

The bill analysis proudly points out how 10% of the building permits in liberal states were for ADUs after passage of similar legislation. You mean to tell me you expect Texas cities to process 10% of their future building permits, and expanded city services like water, fire, police, etc, on the backs of existing residents instead of the ones actually doing the building? I am completely baffled why a Republican thinks that is a GOOD idea.

Why bother serving on planning and zoning, amending a comprehensive plan, and designing the future of what your community looks like, when the heavy handed Legislature wants to turn single-family neighborhoods into multi-family neighborhoods with the stroke of a pen - whether or not that's what citizens want?

What about the property rights of people who bought into a particular city's vision of sustainable development, to ensure there would be adequate roads, water, and other infrastructure as the city grows? Traffic in Rockwall County gets worse daily, our roads are beyond capacity even with planned single-family subdivisions, and this bill just adds fuel to the fire - and cars to the road.

PLEASE OPPOSE HB 2789.

Thank you.

Gene Goodwin

self

Plano, TX

I am against HB 2789.

I am against any bill that would/ could allow a short-term rental situation.

I live in a residential neighborhood, meaning quieter traffic with families. I do not want to live in a commercial, business, hotel district.

That is why I bought a 'home' and pay my share of taxes.

Gene Goodwin, Plano, Texas

Amanda Williams

Self

Fort Worth, TX

I oppose renting or selling ADUs in neighborhoods that are designated for single family use. Single family residential means exactly that. Everyone who buys property in a residential neighborhood knows or should know that it is zoned residential only. We rely on that zoning protection to have a liveable neighborhood.

It is well documented how allowing STRs supplants affordable housing in many parts of the state and the country. See the Texas Monthly article (2/9/2023) about the "Bro-tastic Party Mansions Upending a Historic Austin Community" which turn a vulnerable community into a theme park for hard partying tourists. This can happen anywhere. <https://www.texasmonthly.com/news-politics/inside-bro-tastic-party-airbnb-gentrifying-east-austin/>. We do not want STRs in our residential neighborhoods; do not remove local control.

Local government zoning has the best ability to respond to local needs, not a state-wide requirement for how ADUs are implemented. Our neighborhood organizations have vigorously opposed short term rentals in single family zoned areas. We continue to vigorously oppose state-imposed mandates that seek to override local control on short term rentals.

Lucia Dailey

Self, Activist

Port Aransas, TX

I am totally opposed to this bill's attempt to undermine local control of density, parking, setbacks, impact fees, and the quality of life in our communities. As a resident in a city that is experiencing massive problems from "undercontrolled" growth, I have seen many friends and neighbors abandon this area due to the deterioration caused by the very conditions this bill would unleash on unsuspecting cities, towns, villages, and unincorporated districts across Texas. Please do not let this "King Kong" of a developer's dream bill out of committee, the effect would be a horror movie for those of us who work so hard to protect the places we love.

Jennifer Groysman

self

Plano, TX

Dear Members,

I am writing to ask you to vote no on HB2789. Local government must be able to regulate its own zoning. It knows the area and the residents best. This is not a question for state government. Please leave it to the locals to decide what is best for their community.

Thanks,

Jennifer Groysman

Lucia Dailey  
Self/ Activist  
Port Aransas, TX

I am totally opposed to this attempt to completely undermine local control of density, parking, setbacks, impact fees, and quality of life in our communities. Living in a city with myriad problems from "undercontrolled" growth, I have seen many friends and neighbors leave the area, sick and tired of the deterioration from noise, traffic and other conditions caused by weak zoning and planning. Bills such as this would unleash even worse conditions on unsuspecting towns, villages and unincorporated districts trying to maintain livable places for their citizens. Please do not let this "King Kong" developer's dream bill out of committee to wreak havoc on those of us working hard to protect the places we love.

Philip Jarvis  
self  
Plano, TX

I oppose HB 2789 and urge you to reject it. Like many Texans, I am a homeowner in a neighborhood zoned for single family residential. HB 2789 allows two or more dwellings on any lot and allowing them to be used as short term rentals. This would destroy our quality of life and reduce our property values. Please reject this bill.

Pamela Brown  
Self  
Grapevine, TX

VOTE NO!!

George Belcheff III  
Self  
Keller, TX

I am against this bill in that it will cause damage to my single family property which was purchased with the confidence that our city will protect my value via responsible and locally appropriate zoning limitations.

John Yellman  
self retired  
Plano, TX

I strongly oppose any legislation that would prevent local jurisdictions from regulating accessory dwelling units (ADUs) and short term rentals (STRs) within their own jurisdiction. The presence of STRs in our neighborhood has already led to several issues, including nuisance noise, littering, and occasional criminal activity. It is unacceptable for the state to prevent local jurisdictions from implementing regulations to preserve the residential character of our communities. By disallowing local authorities to regulate ADUs and STRs, these bills will only exacerbate the problems we are already facing and make it more difficult for us to maintain a peaceful and safe living environment. Therefore, I urge the state to reject HB 2789 and allow local jurisdictions to regulate ADUs and STRs in their own communities.

theodore kurz  
SELF- retired  
Plano, TX

This bill will destroy be devastating to the concept of residential neighborhoods where it is safe to raise a family, have kids play in the neighborhood without fear of having commercial activities going on next door. In this case it would be short term rentals, and all of the problems they bring with them. The community needs to be able to put local rules into place that protect the community. Please do not let this bill pass!!

William Schur, Mr.

Myself

Fort Worth, TX

his bill would allow lots in single-family neighborhoods to have two structures owned by different families, effectively converting single family properties to duplexes and, if the lot id 10,000 square feet or larger, into triplex. Cities are well-abled to decide how land use should be regulated, Bothing being more local than land. Leave family neighborhoods alone and please do not take away from citizens the right to elect the officials who determine how land will be used. Please vote against HB 2789.

Linda Payne

Self

Plano, TX

I would like to express my opposition to HB 2789 regarding short term rentals (STRs). If this bill were to become law, it would ruin my neighborhood and other neighborhoods across the state. STR's are in fact hotels that destroy the character and integrity of residential neighborhoods and bring illegal and disruptive activity.

I bought my house thirty years ago in order to live in a safe, stable neighborhood, not next to a revolving door of total strangers.

Tatiana Ramirez

self

Plano, TX

Dear Representative Holland,

We have been Plano residents for 20 years and have lived in our current home for 10 years. I am writing because we oppose STRs Plano. We do not want to have short-term rental homes in our street. From personal and first hand experience, it is clear to me and my family that these "hotels" are definitely not making our street a better place to live in. The two STRs on our street have not proven positive at all for our neighborhood. They have weakened our small community of just fourteen homes by risking our safety, our common goals, our unity and last but not least the value of our property. Just now, for more than a week, we have had to "enjoy" the view of a purple food truck parked in the driveway of the house next door to us. Apparently no one can do anything about it! So I can not even imagine the consequences of this bill becoming law. No one wishes their next door home to be on Airbnb. Just you wait until it is your actual neighbor. We want persons for neighbors not businesses.

Sincerely,

Tatiana Ramirez

Lydia Ortega, DR.

SELF

Plano, TX

Representative Holland, I'm going to assume you appreciate the Texan culture of protecting property rights. We have a long history. Your proposed legislation, however, is SERIOUSLY misguided.

You are not thinking through the consequences of your bill on the value of future property rights. More importantly you undermine the current rights of homeowners, who bought into SINGLE FAMILY RESIDENCE Neighborhoods. My only hope is that you get some sleep and have a nightmare about the consequences of your bill, wake-up in a fright and withdraw the bill.

Susan Simpson

Self

Port Aransas, TX

I oppose HB 2789

Shari Guess

Self / retired

Roanoke, TX

I oppose HB 2789

Blair Partlow

Self, Attorney

PLANO, TX

I am writing to express my vehement opposition to House Bill 2789 and any other bill that would permit short term rentals of single family houses or any other dwellings on lots zoned as single-family residential.

Zoning ordinances exist for a reason. When people purchase houses in neighborhoods zoned for single family residential purposes, they do so with the expectation that the house will become their home. This expectation in turn relies significantly on the expectation that the other houses in those neighborhoods will be used exclusively as homes for other families.

Hotels are not and have never been considered homes. Resorts are not and have never been considered homes. Venues used for events like weddings, banquets, bachelor and bachelorette parties, and swim parties are not homes. Hotels, resorts, banquet halls, and event centers are commercial pursuits, and this fact doesn't change based simply because the structure utilized for those pursuits happens to be a single family residence instead of a commercial building.

The uses of single family residences during by short term renters have more in common with the aforementioned commercial pursuits than they do the residential purposes that families who occupy their homes over extended periods put their homes to. Despite what our esteemed Supreme Court might think, short term rentals of houses is not a "residential" purpose as that term is understood by most of the citizens of Texas, and short-term rentals of houses should not be allowed in single-family residential districts. Any bill that precludes local authorities from regulating short term rentals, or worse, that expressly authorizes short term rentals in single-family residential districts should be soundly and thoroughly rejected by this committee.

This bill would allow single family homes in residential neighborhoods to be used for what are indisputably commercial purposes, and in doing so would undermine the safety, security, and sense of community in our residential neighborhoods. If passed, this bill will ruin neighborhoods across Texas.

Barney Farley

Coastline A/c

Port Aransas, TX

I oppose HB 2789

Dianne Deck

Self

Plano, TX

Please allow cities and HOAs to restrict and ban STR. I live in a neighborhood that is for single family homes. STR will increase parking which leads to traffic congestion, noise at all hours, numerous unknown people and trash issues as they will use others trash bins. I do not want the City of Plano police force to have to handle issues with STR as opposed to proactive policing. We do not have any reason to have these in Plano as there are plenty of nice hotels at a reasonable price. Thank you. I do not want accessory dwellings that will be used for STRs. These neighborhoods are for neighbors or families.

Chris Hoar, Mrs

Retired

Rockwall, TX

Against this plan to ruin our subdivisions and neighborhoods. Shame on you for considering turning our state into California

Misty Ventura

self - attorney

Dallas, TX

HB 2789 strengthens property rights by preempting cities from prohibiting accessory dwelling units (ADUs) on single family lots. This will allow owners with the means to build a granny flat or caretaker cottage on their property with certain limitations. If your child comes home from college and cannot afford to rent or purchase a home or you have an ailing parent or a disabled family member that you don't want to move to an institutional setting, ADUs provide options. For low and middle income Texans, purchasing a property becomes more affordable if an ADU can be rented to help offset mortgage costs and create family stability and wealth. Those that claim ADUs will "overload our resources and infrastructure" fail to understand that Texans living in ADUs are not creating a demand for additional resources or infrastructure - because current laws would allow these same people to live in the primary structure on the same lot where the ADU is being proposed. This false narrative is promoted by cities to maintain unnecessary regulatory control of Texans.

Laura Palmer

Self

Dallas, TX

As a TX property/homeowner, I strongly oppose HB2789. Zoning is a purely local matter and such decisions need to be made at the local level by citizens with our local elected leaders. There is no one-size-fits-all here that works. Please table this bill and allow TX citizens their right to local self determination.

Patt Coeckelenbergh

Self retired librarian

Port Aransas, TX

ADU can be an important living space when having to care for an elderly or sick parent/relative. In Port Aransas short term rental in have become a nuisance to the long term permanent residents. Please consider them/ us in voting for this bill. My family and are in opposition to it. Sincerely, P.Coeckelenbergh

LINDA DE BREE

self - self employed small business person

ROCKWALL, TX

I live in a growing community of Texas and the author of this bill is my Congressman. I cannot believe that my own Congressman has authored a bill that will severely negatively impact the community he represents. My water company RAN OUT of water last summer. My water company does not have enough water to properly service the existing homes, let alone accessory buildings as proposed in this bill. I do not want my community to be filled with accessory buildings that homeowners rent out, thus overcrowding the neighborhoods and existing roads. While I like the idea of a homeowner being able to do what he/she wants with their own land, I feel this bill opens Texas up to a slippery slope that cannot be un-done once it begins. As it is right now, we on the local level are struggling to keep growth in check with not enough existing roads, water services, emergency services, and forward planning processes in place. Sitting in traffic on Farm to Market roads is a reality here. This bill is NOT good for many areas of Texas, including the ones that the author of the bill represents, and I urge you to vote NO on it.

Anna Lopez

Neighborhood Coalition - Plano Chapter

Plano, TX

I am writing to express my strong and unwavering opposition to Senate Bills 1466 and 1461, both of which have been referred to the Business and Commerce Committee. The first bill would allow any home in any neighborhood to be used as an event center rented by the hour. The second bill would allow companies like Airbnb and VRBO to refuse to cooperate in any way with a city's efforts to enforce its rules for short-term rentals.

If either bill were to become law, it would wreck my neighborhood and other neighborhoods across the state. Both are such bad bills that they do not deserve a hearing before the Committee.

I have experienced a PARTY house and all that comes with it, underage drinking/drugs, speeding and all kinds of folks in our front yard, urinating out in plain sight. Who wants that, YOU???

I believe if you had a STR next door, you would agree we do NOT need these in our neighborhoods.

Thank you for your time and attention to this important issue.

Evan Thompson

Preservation Texas

San Marcos, TX

As preservationists we know that historic neighborhoods have always included what have only recently been referred to in urban planning circles as "accessory dwelling units." Secondary living quarters, most often located above carriage houses or garages, have long ensured an economically diverse mix of housing options in Texas communities and a supplemental source of income for the owners of historic houses.

However, we are concerned that the language of the bill as written may create confusion in the future administration of local historic districts, and so we would seek clarification that:

\*\* a local historic commission may also deny an application for construction of an "ADU" if its proposed scale, placement, and design conflicts with the historic character of the neighborhood on the basis of its adopted standards and guidelines [Sec. 247.003(c)(1)]

\*\* that the approval and denial of an application for the construction of an "ADU" can continue to be made in open public hearings as part of ongoing, established local historic district review procedures and not through an internal, bureaucratic closed-door process [Sec. 247.004(a)(1)]

We will encourage local communities with historic districts to consider adopting appropriate design standards for new "ADU" construction and the conversion of existing secondary buildings so as to ensure that this diverse housing option can continue to be offered and expanded in Texas cities, where appropriate, without compromising the dynamic character of our historic districts.

Brent Weaver, Mr  
Self, electrical engineer  
Heath, TX

I am opposed to HB2789 for the following reasons:

- It effectively converts single-family residential neighborhoods into multi-family housing.
- Even though many cities currently allow an ADU (i.e. guest house) in single-family zoning districts, they specifically do not allow these ADU's to be rented or sold to someone outside the primary homeowner's family. Single-family zoning districts are exactly as named, single-family housing not multi-family housing.
- The city's ability to enforce single-family housing is the primary tool that allows cities to prevent single-family residential neighborhoods from being overrun by multi-family housing/apartments/rentals, and to prevent excessive density, overcrowding, etc.
- HB2789 overrules the city's ability to enforce and protect traditional single-family housing; thereby allowing land-lords and real estate investment companies to buy houses, or groups of houses in residential neighborhoods and convert them to multi-family housing/apartments/rentals.
- Attempting to shift this responsibility of enforcement and protection from cities to HOA's is not realistic nor effective. HOA's simply do not have the financial, legal, or enforcement resources to prevent multi-family housing from taking over their neighborhoods.
- HB2789 is being portrayed under the false pretense of "property rights", but it actually eliminates the rights and protections for the billions of dollars Texan's have invested in their homes and neighborhoods across the state.
- Please help maintain the traditional single-family neighborhoods throughout our great state.

James Ransdell  
Self  
Seguin, TX

This takes away local control and grants it to the State. Please do not pass HB2789. We don't need Accessory Dwelling Units (ADUs) from the State this should be a local issue.

Cindy J Hellstern, RN  
Texas Neighborhood Coalition Dallas Chapter  
Dallas, TX

I strongly and adamantly oppose HB 2789 and any effort by the State Legislature to interfere and take away from our local municipal government entities the long-standing authority, power to regulate zoning. This bill usurps the rights of citizens across Texas to local self-determination. We are fighting desperately to maintain our neighborhoods safely from STR giants bringing criminal and nuisance activities to our doorsteps. Please do not represent those Billion Dollar industries, but the citizens of Texas who live in TEXAS.

Daniel Fox-Baker  
self - Data Manager  
Austin, TX

While I can entertain the notion of preemption by the Texas State government in some areas of local policy, this bill oversteps too many areas where local civic concerns are best left to local government. This bill appears to lift almost all limits imposed on a homeowners use of property that are designed to forestall negative impacts on neighboring properties and neighborhood character. My principal concern is the growing frankenstein of unrestrained STR properties that have become a plague in our most vibrant communities. Full disclosure: my wife and I have operated a 1 bedroom/1 bath suite STR in part our home for almost 10 years. We know a few other neighbors who have a bedroom or modest ADU listed as well. Hosting a single or couple of guests in our home brings in welcome supplemental income and has an imperceptible to light impact on our neighbors. But two's company, three's a crowd some say—at some point, the impact and externalities exceed the mere sum of guests.

A new neighbor bought a property across the street from me, removed the old home and is building a 7 bedroom, 6 bath on what is a 8,803 ft sq plot. The new owner stated that he's building a party house to rent on STR. This isn't an example of a quaint sharing economy; a spare bedroom offered to a couple of tourists. This is a commercial venture intended to yield \$5,000+ per night. Its at best a hotel and at worst a club-med resort. There are commercial zoned areas for such businesses but I'm shocked that that can happen in a single family residential zoned area.

STRs are largely unchecked and have become a cancer in many communities. Many investors have snatched up residential properties—not for reselling or renting to would-be residents—but for operating the entire property as an STR on as aggressive a schedule as possible and for as many guests as can possibly fit into the structure. Many are simply marketed as 'Party Houses' for bachelor parties and the like. Such a party house carried on over several weekends a few doors down during the pandemic, with no regard or impunity despite neighbors calling the city to complain about loud music that blasted out till 8AM the next day. Texas Monthly recently profiled a drama taking place three blocks from my home. I'm a bit ashamed to even be associated with Airbnb but this is a matter that simply needs to be better regulated and your proposal only does the exact opposite and will make life worse for regular homeowners.

Tom Hritz, Mr.

self/retired

Rockwall, TX

I oppose HB 2789.

This bill is being sold to you as a property rights bill, but nothing could be further from the truth. This bill changes the character of single family neighborhoods forever.

For most Texans, and indeed most AMERICANS, their home is their single largest investment. We invest with care, especially seniors like me (I am 83) who believe we have bought our very last home. But if this bill passes, the single-family nature of our investment is changed forever. Suddenly, I've invested in a multi-family neighborhood against my will.

This bill is supposed to be about property rights. When I bought my house, I bought into my city's vision of sustainable development. I elected city officials who I trusted to control the growth and character of my city, where homeowner chose to make the largest investment of their lives, and where they decided the kind of environment they want to for raising their family.

This bill is supposed to be about property rights! And yet, if I truly want a single family home this bill forces me to subject myself to an HOA, who appears to be the ONLY ENTITY IN TEXAS capable of protecting the single family neighborhood.

I don't know about you, but having to run for cover to the safety of an HOA sure doesn't sound like property rights to me!

This bill is a wolf in sheep's clothing. I moved from California to escape the liberal politics, traffic, gambling, recreational marijuana, and population density.

I rejected California when I moved to Texas. But with bills like this, it's beginning to feel more like California every day of this session.

Please save Texas single-family neighborhoods.

Please reject this bill.

Bruce Blumentritt

Self. Enterprise Computer Systems Engineer

Austin, TX

I live in a small, diverse, quiet, and happy neighborhood, or at least it used to be. Modest homes on small one-fifth acre lots, ranging from 1300 to 1500 SF. The idea to put Accessory Dwelling Units (ADUs) on these properties is ludicrous. Most yards aren't big enough for volleyball. This bill allows for drug houses, brothels, and human traffickers to rent a private building in someone's back yard, and prevents local residents and officials from regulating these ADUs. Wow!

HB 2789 provides for homes that used to have friendly residents to be commercial motel properties. No children to go to local schools, no people to work local jobs, no citizens to vote. Only transient partygoers, coming and going on a daily basis to motel homes owned by out-of-town and out-of-state investors, leaving tons of trash to pick up and constant noise, and increased police calls. They are disruptive at best, and hellacious at worst. You never know who's going to show up to party in the house next door, behind, or across the street. This bill puts the safety and mental health of our neighborhoods at great risk.

Zoning laws exist for the benefits of residents. Motels don't belong in the house next door. HB2789 is a centralized government bill, the main effect would be to destroy our neighborhoods. Please kill this bill and help keep our neighborhoods under local control.

Ginny Truex

President - Hills of Prestonwood South HOA

Plano, TX

We are adamantly opposed to HB2789. Our HOA recently passed an amendment to our CCRs prohibiting STRs for the safety of our homeowners, preserving the peacefulness, protecting property values and preserving the integrity of single family neighborhoods. It has taken many months of work and legal fees from our homeowners to accomplish this with an overwhelming positive response. Please do not pass this bill. STRs are not good for single family neighborhoods.

Corey Reinaker

Self, Architect

Plano, TX

To the Honorable Members,

I am writing today in SUPPORT of HB 2789.

My wife and I have lived in Plano since 2009 and owned our home there since 2011. I am also licensed architect.

I support HB 2789 because ADUs are an important element to expanding affordable housing opportunities in the state of Texas. The bill will simplify regulation across municipalities. And it will expand the rights of property owners.

Over-regulation or outright bans on ADUs are a problem in Texas. According to a policy brief by researchers at UT Austin: "Often called 'infill' housing, these types of homes are frequently outlawed outright or made infeasible by development requirements such as excessive lot line setbacks and off-street parking space minimums."

The City of Plano's Backyard Cottage ordinance, which allows ADUs, illustrates this well. While the City should be lauded for adopting such an ordinance, the full requirements to build an ADU are burdensome and have the expected result of few ADUs being constructed.

The requirements include:

- 6,000 SF min. lot size.
- Cottage height lower than main building.
- 400 SF min. lot coverage and min. floor area.
- Backyard cottage must be architecturally designed to be compatible with the main dwelling unit. (a subjective requirement that lacks clear objective criteria).
- One off-street parking space required for backyard cottage and it must not be tandem parking.
- Property owner must occupy either the main building or the cottage as a permanent resident and must provide a signed and notarized affidavit attesting such.
- Owner must file a covenant with the county notifying prospective buyers that the backyard cottage is predicated upon occupancy of either the accessory dwelling or the main dwelling by the owner of the property.
- The covenant must require all owners to remove the backyard cottage and restore the site to a single-family dwelling in the event that any condition of the covenant is violated.

Plano adopted this ordinance in February 2019. According to a public information request made last fall, only two backyard cottages have been constructed in Plano since the ordinance went into effect. Subsequent follow up by staff indicates that one of those two is in fact a pool house that was miscategorized as a backyard cottage.

The empirical results in Plano echo the trends identified by researchers. From Light Touch Density, a policy brief published by the American Enterprise Institute in 2022:

"Even when a locality permits homeowners to build ADUs, regulations may make them unappealing or infeasible for homeowners to add. Localities where ADUs are built in large numbers tend to share the following features of ADU regulation:

- No owner occupancy requirements
- No additional parking requirements for adding an ADU
- By-right permitting that doesn't require ADU permits to go through a subjective approval process"

To conclude, I support HB 2789 and encourage the committee to pass it.

Corey Reinaker, AIA

Melanie Belcheff

self

Keller, TX

I am opposed to this. Thank you

Deborah Blumentritt

Self/Retired

Austin, TX

Committee Members, I strongly urge you to lend zero support for this atrocious bill that turns my working-class residential neighborhood into a place of crowded unrest. I have lived in Austin my entire life and in my residential neighborhood for 35 years. This bill will wipe out the investment that I and my neighbors have made when we chose to live here. We have small lots that allow us a little room to breathe. We already have trouble with too much impervious cover and pollution from fewer green spaces and fewer trees and plant life. This bill crams ADU into small spaces that threatens the reason we all made the choice to live here. This bill would bring too many cars and too many buildings into neighborhoods across Texas where the cities themselves are best suited to decide what is best for their own neighborhoods. This Big Government bill intrudes upon our rights to keep our neighborhoods as peaceful and quiet and clean as possible. This bill ruins our neighborhoods, and I humbly ask you incline your ears to the needs of people who have invested their lives into their neighborhoods. Thank you.

MICHAEL BRASWELL

1

PLANO, TX

I believe we should allow the local governments to have control on accessory dwelling units and short term rentals and not controlled by the state government. I believe our local zoning ordinances are in the best interest of our city and our Plano City Council is doing what is best for our residents. In the last year we have had a short term rental used as a whore house and a short term rental had shooting at the house with a bullet going into a little girls bedroom across the street in Plano. It looks like some Texas legislators want to take control over local city and counties, when Texas has been a state where local governments have made the laws and ordinances for the local residents for generations.

Catherine Quagliana Parker

Tx Neighborhood Coalition, Plano chapter

Plano, TX

My husband and I and all our neighbors strongly oppose this bill. Our neighborhood is zoned residential. Our city officials should be the only governmental body that is responsible for our local zoning ordinances

David Schwarte, Leader  
Texas Neighborhood Coalition  
Arlington, TX

Written Testimony of Dave Schwarte, Texas Neighborhood Coalition in Opposition to Bill HB2789  
Before the House Land and Resource Management Committee – March 29, 2023

My name is Dave Schwarte. I live in Arlington and am a co-founder of the Texas Neighborhood Coalition. I'm here on behalf of thousands of voters across the state represented by our coalition to oppose HB2789. Our mission is to help citizens across the state find the best solution for their community to the problems the short-term rentals of homes in residential neighborhoods invariably create.

To appreciate our mission and the breadth and strength of our coalition, I invite you to review the letter that we hand-delivered to all legislators on January 30th, 2023. In that letter, we urged all legislators to oppose any bill that would undermine or weaken the power of cities to address at the local level the misery short-term rentals spawn in neighborhoods. It had hundreds of signatories, with many representing neighborhood associations.

Our coalition members believe strongly that cities must not be stripped of their traditional powers to protect the residential character of neighborhoods zoned as residential -- by preventing homes there from being used commercially for sleepovers or party houses by a revolving door of transients - instead of being used as homes where long-term neighbors they know and trust live next door.

Regretfully this bill -- bearing the opaque title of ADUs -- is another of the several anti-neighborhood bills filed this legislative session. Make no mistake. This bill would end single-family residential neighborhoods statewide. It would flat out cancel the words "single family neighborhoods" in Texas. Why? Because it would force cities and citizens to accept at least two homes on every lot - irrespective of what local zoning ordinances may have long said.

This bill has the same fatal flaw that the other anti-neighborhood bills have. It invites state legislators to issue a statewide edict of how land in each city is to be used when legislators cannot possibly know the land use needs and constraints in the various cities. Does Southlake need or want ADUs? Does Grapevine? Does Arlington? Does Fort Worth? Does Plano? Does New Braunfels? Does Fredericksburg? The list goes on.

Whether there is any need or desire for ADUs in particular cities will depend on local housing conditions, including at the specific neighborhood level, something that legislators from other parts of the state, respectfully, cannot know.

Many cities already have in place participatory processes whereby ADUs can be sought on a case-by-case basis. I say "participatory" because nearby residents have a chance to voice their concerns or their support for ADU applications. And they can elect local officials who reflect their will.  
(Continued under Michelle Schwarte)

Michelle Schwarte  
Texas Neighborhood Coalition  
Arlington, TX

Written Testimony of Dave Schwarte, Texas Neighborhood Coalition in Opposition to Bill HB2789  
Before the House Land and Resource Management Committee – March 29, 2023

(Continued from David Schwarte)

This bill, if enacted into law, would therefore disenfranchise voters across the state in a matter of paramount importance to them, that is, whether zoning rules on which they relied when they bought their homes should be enforced or waived.

Finally, I urge you to think of the political consequences. How do you think voters will react if this bill ever became law -- when they learn this legislature voided single-family residential neighborhood zoning in every city in Texas?

I thank you for your time and attention.

Floyd Land, Dr.  
The Kings University  
Rowlett, TX

It's obvious to me that this bill could eliminate single family neighborhoods in Rockwall County unless they're in an HOA. Why? Because this bill allows sale OR rental of the accessory dwelling unit WITHOUT prohibitions (think Air bnb). Esteemed colleagues, this is NOT about property rights. Existing city ordinances and HOA rules allow businesses in residential zones that don't conflict with the neighborhood character. This bill HAS NO such limitations. There's a difference between renting your garage for car storage and renting your garage to a garage band as a rehearsal space. This bill makes no such distinction. It is a bad bill for Texas neighborhoods. It is a sad day in Texas when the HOA is the only thing to protect a single-family neighborhood. And in California they recently made it so an HOA cannot stop these units either and nothing is stopping them from doing it in Texas.

colleen aguilar-epstein, ms  
self retired High school teacher  
Plano, TX

I oppose this bill, as it takes away local zoning control.

gene gervasi, mr  
self retired business man  
plano, TX

I oppose this bill, as it takes away local zoning control.

Phillip Terry  
Self/retired  
Dallas, TX

I am writing you to express my strong and unflinching opposition to HB 2367 and HB 2789. If either ever become law, they would continue to wreck my neighborhood and countless other neighborhoods across the State.

I'm outraged that two Republicans would put forth such bills! This is NOT conservative! It's destructive to our homes and families and must be stopped. The short-term rental and pool sharing economy are wrecking the life long investments in our homes and our right to peace and quiet. We don't want to live next to a lodging hotel or a pay-for-a-swim franchise!

Any efforts toward pre-emption for STR platforms like Airbnb, VRBO, Swimply and other "sharing economy" outlets in our neighborhood are cancerous. Please stop pandering to the wishes of these behemoths. Support families, neighbors and neighborhoods throughout Texas.

You may like and Airbnb or pool but I guarantee you don't want one next to your home or family! And if you don't want them next door to you, then stop trying to enable this cancerous growth. No "family values" in this.

Regards,

Phillip Terry

Mary Ingle, Ms.  
-self  
austin, TX

I oppose HB 2789. Allow local municipalities to control their own situations with ADUs.  
The AG's office has no business manipulating the market in any city.

Janis Reinken  
SELF/ Attorney  
Austin, TX

I oppose HB 2789, which would hamstring local safety and oversight measures concerning ADU's. At first glance these sound like good uses of residential lots, but there's much more to the issue. It is not good policy or practice for the state to assume control and prevent local municipal oversight, which helps assure safety regarding fire hazards, flood control measures, utility easement clearances, traffic and parking overflow, noise abatement, and so on. These are local issues and there is no common-sense reason for the state to usurp local oversight and management of these local issues. Please Vote No on HB 2789.  
Respectfully, Janis Reinken

Thomas Tatum  
self, retired  
Heath, TX

We stand opposed to this proffered Bill in that it would allow accessory dwelling units that would enable density that contravenes the restrictions existing in local communities. Residents in these communities, in many cases, have chosen to own their residences because of the density restrictions.

Joyce Basciano  
- Select -  
Austin, TX

I oppose HB 2789. Local governments know best how to create rules concerning ADUs.

Carolyn Croom, Ms.  
Self  
Austin, TX

Please vote against HB 2789, which would take away a local government's ability to regulate ADUs. Local government is the most appropriate political entity to determine whether and where ADUs should be allowed based on the individual characteristics of the community, and promulgate and enforce regulations on safety, traffic, parking, noise and other issues associated with ADUs. This is a local, not state issue. Please respect local communities' decisions on these matters. Please vote "No" on HB 2789.

Mark Jarecki  
Self  
Fort Worth, TX

As a proud owner-resident of a west Fort Worth neighborhood property, I am opposed to ANY legislation which weakens the strong community spirit of our west side neighborhood owner-residents. I've been told Texas HB2367 and HB2789 are examples of such weakening legislation. My opposition includes ANY Texas legislation which weakens LOCAL control and limitation of Short Term Rentals (STR's), or other "residential amenity" types of usage of properties originally zoned and regulated for the benefit and PROTECTION of owner-residents...not speculators, STR operators, or other entities trying to pervert the strong community spirit under the misdirected guise of "personal property rights." If the STR owners or "residential amenities" operators are awarded the ability to do whatever commercial endeavor they choose with "their property," then what stops someone from turning their house in the middle of a neighborhood into a tattoo parlor or strip nightclub? Please stand up for the property rights of RESIDENTS...who happen to be the majority of VOTERS.

Marc Duchen  
Self, Consultant  
AUSTIN, TX

This bill has two problems I'd like to reinforce to the committee:

1. First, subdivisions and local governmental entities understand their own lots, neighborhoods and requirements. That means everything that impacts the density of neighborhoods including flood mitigation, fire safety, sewage, water and wastewater requirements, parking, impermeable coverage and green space, and so on. This bill says the State somehow knows better than these homeowners, so who cares if this impacts density and overcrowding in neighborhoods that disrupts their lives or, in the case of fire safety and flood mitigation, jeopardizes their safety. Setting aside local control, there are safety and quality of life issues at stake here with the State opening the floodgates of large ADUs without any local homeowner buy-in or consideration.
2. Second, the purpose of bills like this, as I understand, is to help create affordable housing. But by not allowing size limits, this defeats the purpose of an ADU, which has a specific tenant and use case (there is a reason that colloquially it's a "Granny flat" and either has elderly folks or students). Instead, we have moved into this being just a subdivision bill. 1100 square feet is a significant size home, it's larger than my home that I've been in for the last 20 years. ADU's are affordable when they're affordably sized and by lifting this cap all we're doing is saying you can subdivide your lot and throw up another slightly smaller luxury home. You've removed all incentive from actually creating affordable housing. So if you do pass this out of committee, let's at least be honest about it doing nothing to address our housing affordability crisis. There are things we could do to actually tackle the affordable housing crisis, such as supporting the construction industry which shed 1.5 Million workers/builders since the Great Recession, restricting institutional investors in the single-family market who buy for cash and crowd out families with inflated prices, or using local and state economic development programs to spread growth more evenly in the state instead of encouraging hypergrowth in certain areas which amplified housing prices. But we're not doing any of those things here, just gutting local control to build more luxury homes (because who isn't going to build the maximum sized, most luxury unit under this bill? The bill literally removes any incentive to build an economically affordable unit.

Anna Knight, Mrs  
Dept of Defense, Retired  
Rowlett, TX

My personal opinion is offered. RE HB2789 is a reprehensible that will NOT serve the best interests Texas or the State of Texas, nor will it proudly serve the citizens of the Great State of Texas. If this bill is passed by the Texas Legislature, it will support absolutely no one except TX Rep Justin Holland who will realize enormous profit by this action. It will hurt all homeowners who have invested in their homes, making a residence in which they thought their neighborhood and their life style would always be safe. Similar results are as I see it happening in Rowlett, TX 75088 where every parcel of land is being turned into condos, duplexes, etc., capturing every available of green space.

My question to the Texas Legislatures: Are you not intelligent enough to realize that TX Rep Justin Holland will profit immensely should you pass such highly damaging and contentious bill due to his private job. He would either take personally the operation of change, or become a silent partner in this destruction of Texas land. He will profit immensely whether personally involved or just the "pusher" of doom for the people of Texas. Any member of the Legislature who votes for HBW2789 will be equally anti-Texan, and may also financially benefit. Not only will HB2789 affect homeowners, it will affect schools both state owned and private.

Surely logic will prevail, and more intelligent and rational decision when casting your vote, you will say "NO" for the State of Texas, all Texans, especially homeowners, and the profile that would then become Texas. TX Representative JUSTIN HOLLAND is not a true Texan, nor does he have the best interest of Texas and Texans in his best interest. His motive for this bill seems to be for personal profit. Do NOT let Rep HOLLAND destroy Texas.

Kenneth Salverson  
Self, Retired  
Heath, TX

I am adamantly opposed to this bill in its entirety. State legislature bills should not be dictating, promoting, and/or overriding) local (county/city, HOA) building zoning ordinances.

Donna Beth McCormick  
self - homeowner - neighborhood resident  
Austin, TX

Vote NO on this bill - this is a local issue. The state does not need to get into these issues - we have enough problems in the state to take care of! This bill will get in the details known to each individual local entity and become something that can only be solved by local authorities.  
You, as an elected official, have better things to do to solve the many, many problems we have in Texas!

Audrey Dahlkemper  
UT Students  
Austin, TX

My name is Audrey Dahlkemper. I am a student at the University of Texas and I am here in support of the bill because if we don't build smaller, more affordable houses for our community, people will suffer. We, students, are already shouldering this burden. The high cost of housing is a barrier to our attendance, academic success, and Texas's future.

For instate students, housing can cost more than tuition itself. For those of you who have children, grandchildren, or remember how much time and work goes into perfecting a college application. Imagine having that acceptance stripped because there is nowhere for you to live. Because there is no way for you to pay the average of 1,000 per month rent with your 15 \$/h job or commute an upwards of 30 minutes each morning in rush hour traffic. I still remember that labor just as I remember my mothers overwhelming anxieties about finding an affordable apartment unit for me- a sore contrast to my excitement about university. Housing costs almost kept me stuck at my old school- pursuing a path I was unexcited about, one I didn't see as important for my future.

We are already being crushed under the weight of the cost of college. For many of us, a lack of attainable housing is the single factor that tips the scale towards poor academic performance or unenrollment. As the director of advocacy for our university's Habitat for Humanity I hear stories everyday of students whose long commutes eat into their class time, whose rooms do not have windows despite their high cost, and even of students who couldn't find a place to live at all and now sleep on a friend's couch.

Right now I live in a house in west campus. When I moved in it came with a cockroach infestation, black mold, and undrinkable water. Our rent has increased 27% over the past two years, the only thing that has changed substantially is that our washer is now broken. Because the city is not building new housing relative to incomers, renters have few other options besides taking higher rents at below acceptable levels of housing. Me and my roommates have been sick on and off for the past couple months due to these conditions. Which has caused us to miss classes, study sessions, and other events. This is the unrealized time cost that comes with a lack of increasing housing supply. You now must ask yourself, what happens when a class is skipped or study time is forfeited because we have to work longer hours to afford to live next to our university? How bright will the future of Texas be if the students that will serve as Texas's future doctors, engineers, and teachers are held back from their studies because of antiquated land use laws.

This issue is solvable, the plan is laid out, and the economic benefits are already apparent in pro-family states such as Utah that have implemented ADU construction. We, the students, are asking you now, to help us focus more on our education and less on finding a place to sleep. Texas's future starts with housing

Mary Ellen Snell  
GOP Precinct 3194  
Boerne, TX

I am AGAINST HB 2789! In the ETJ of Bexar County and SATX liber-controlled areas, we are inundated with apartment building all down I10 frontage road on all sides of San Antonio, expanding into other counties.

My Precinct residents are angry, frustrated, and worried about the seeming lack of concern by politicians over building on our aquifers, the flooding, the increased traffic with nowhere to go, and the circular routes we must all take to even get out of our neighborhoods as SATX and Bexar County continue to add apartments near subdivisions. This is BAD for Texas, and BAD for existing homeowners. It depletes our water sources, while all the live oaks are cut down, and a concrete jungle ensues. This is NOT the Texas we want!!

This bill proposed by Republican State Representative Justin Holland, HB 2789, is obviously a pay-off to developers. It increases development density, multi-use expansion in cities in Texas. This bill advocates for liberal concepts such as "affordable housing", AND conservative concepts of "property rights" of landowners to maximize investments. AT the expense of existing homeowners. A pay-off to developers, simply speaking.

In order to protect the quality of life in all Texas Counties, we do NOT want this BAD BILL!

The Bill emphasizes property rights expansion and the "heads need beds" slogan, while completely leaving out aspects of the bill that could severely impact the ability of cities all over Texas to regulate density and growth that threatens to overwhelm existing infrastructure. It threatens the quality of life throughout all of Texas. The bill imposes a laundry list of restrictions on political subdivisions.

Do NOT allow this bill to move forward. Protect Texas land, water, and existing homeowner rights and property!

Thanks for reading.

Shirley Dupriest  
Self-retired  
COLLEGE STATION, TX

Please leave the decision to regulate accessory dwelling units in the hands of individual communities. The variety of political subdivisions has nothing in common with how a community regulates accessory dwelling units. Leave it local!

Phyllis Salverson  
Self - Retired  
Heath, TX

I am totally AGAINST everything in this HB 2789 bill. Just like the State of Texas will never want the Federal government to be allowed to override the State's constitutional rights; the State legislature SHOULD NOT dictate, promote, or override local (County, City, HOA) regulations/legislation - i.e. building and zoning ordinances (constitutional rights). Any Representative who supports a bill such as this HB 2789 deserves to be voted out.

Yongyin Huang

N/a

Richmond, TX

As a current student at UT Austin and living on west campus I have a first hand experience of seeing how unaffordable housing has impacted both me and my friends. Everyone student we know has had their own horror story of how unaffordable housing had led to hard decisions of whether or not we can even go to school. A personal friend of mine has been apartment hunting for months and at one point had to consider giving up her education for a period time due to the fact that she doesn't have sustainable housing. Even with those like me who was able to secure housing for next year, we still battle questions regarding how we will actually be able to maintain and afford housing. My friends had to plan months ahead of figuring out how to balance getting extra jobs and school while maintaining to stay afloat . Due to our personal experiences we heavily advocate for affordable housing especially for students. As students we shouldn't need to worry about whether or not we will have a place to live tomorrow, we deserve to have a home and be able to subtainable it without giving up everything else just to maintain housing. We deserve affordable housing .

Richard Woodward

None

College Station, TX

Members of the Land & Resource Management Committee. I urge you to strongly oppose HB 2789. There are ample protections for individuals and businesses that seek to develop accessory dwelling units. Our state legislature should not usurp the authority of local elected officials to impose reasonable and locally appropriate restrictions on such dwellings. Please, respect the citizens who elected you, but also elected their city councils and their mayors.

Thank you for your service.

HERMINIA ERVIN

SELF

PORT ARANSAS, TX

I OPPOSE