

PLANNING DEPARTMENT
CITY OF CARROLLTON

CZO TEXT AMENDMENT – PLZT 2025-074
DATE: 5/06/2025

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ORDINANCE NUMBER 1470, OTHERWISE KNOWN AS THE COMPREHENSIVE ZONING ORDINANCE, BY AMENDING ARTICLE V. USE OF LAND AND STRUCTURES BY ADDING A NEW SECTION D TO PROVIDE AN INTERIM PROHIBITION OF THE APPLICATION OR ISSUANCE OF SPECIAL USE PERMITS FOR “SHORT-TERM RENTAL” AND “BED AND BREAKFAST” USES IN ALL APPLICABLE RESIDENTIAL DISTRICTS; PROVIDING PENALTY, SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the First day of May 2025, the Planning & Zoning Commission considered and made recommendation on a change to the Comprehensive Zoning Ordinance of the City of Carrollton (Case No. PLZT 2025-074); and

WHEREAS, the City Council of the City of Carrollton, Texas (“City Council”) conducted a public hearing on the Sixth day of May 2025, at which all persons were given an opportunity to present testimony; and

WHEREAS, the rise of digital platforms such as Airbnb and VRBO has led to an increase in resident property concern about transient and vacation rental uses that infringe on the property rights of neighbors in the City of Carrollton (“City”); and

WHEREAS, the City has had numerous speakers attend public meetings to express concerns about the increase in health, safety, and nuisance issues related to short-term rental (“STR”) and bed and breakfast (“B&B”) uses in the City; and

WHEREAS, some STR and B&B properties are used for gatherings disruptive to neighborhoods; and

WHEREAS, more commonly, the public has complained that STRs and B&Bs in Carrollton disrupt their use of their property due to unreasonable noise, excessive trash, disorderly conduct, and parking; and

WHEREAS, residents have indicated that some STR and B&B occupants are less concerned than long-term residents with the impact of conduct at STR and B&B premises on neighbors, due to the temporary nature of their occupancy and lack of community with the neighborhood; and

WHEREAS, Carrollton residents have a right to peace and quiet enjoyment of their properties; and

WHEREAS, the City of Carrollton's strategic vision states that Carrollton residents wish for a place that families and businesses want to call home, and residents have expressed that STRs and B&Bs negatively affect the desire of families to call Carrollton home because of the transient nature of the users of STRs and B&Bs; and

WHEREAS, the City Council wishes to advance the objectives of the Comprehensive Plan by championing established residential neighborhoods through regulations that support neighborhood identity and ensuring safety, which contributes to the overall character and livability of the neighborhoods in the City; and

WHEREAS, the City wishes to respond to residents' concerns and address issues with property owners and managers of STRs and B&Bs; and

WHEREAS, the imposition of an interim prohibition does not cause any conforming use to become a non-conforming use, necessitating additional notice requirements pursuant to § 211.006 (a-1) of the Texas Local Government Code; and

WHEREAS, during the interim prohibition no new STRs or B&Bs may begin operation in the City and all existing STRs or B&Bs that were not granted non-conforming status under Ordinance No. 4127, adopted February 7, 2023, may operate, if qualified, upon receipt of a STR permit issued pursuant to the requirements of Chapter 100 of the Carrollton Code of Ordinances; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following interim prohibition of the special use permit process for short-term rentals would provide for and would be in the best interest of the health, safety, morals, and general welfare of the citizens of the City:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Article V. Use of Land and Structures of the Comprehensive Zoning Ordinance, City of Carrollton, Texas, is hereby amended by adding a new Section D to provide an interim prohibition of the application or issuance of a special use permit for a "Short-Term Rental" or "Bed and Breakfast" as follows:

“SECTION D. Interim Prohibition on Short-Term Rental and Bed and Breakfast Uses

1. The purpose of this interim provision is to prohibit the establishment of new short-term rental (“STR”) and bed and breakfast (“B&B”) uses pursuant to the provisions set forth in Ordinance No. 4127 while the City conducts public outreach, collects data, and analyzes information to determine permanent recommendations, due to community concerns about health and safety.
2. A Short-term Rental means a residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days that is not permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.
3. A Bed and Breakfast means a residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days and which is permanently occupied by the property owners listed on the county appraisal districts records for which the property is located.
4. Subject to Article 21 on Special Use Permits and Article 22 on Nonconformity, STRs and B&Bs are prohibited in dwelling units, dwellings, and residences. For purposes of this subsection only, nonconforming uses include those operating as an STR or B&B prior to February 7, 2023, pursuant to Ordinance No. 4127.
5. Any STR or B&B that has been in operation subsequent to February 7, 2023, and prior to May 6, 2025, but has not received a special use permit, as anticipated in Ordinance No. 4127, may be eligible to continue operating upon receipt of a temporary permit pursuant to the provisions of Chapter 100 of the Carrollton Code of Ordinances.
6. An STR or B&B that has received a special use permit or an STR or B&B that has non-conforming status, pursuant to Ordinance No. 4127, may continue to operate, as long as the operator remains in compliance with Chapter 97 of the Carrollton Code of Ordinances.
7. This section D expires in its entirety on May 5, 2026.”

Section 3.

Any person, firm, or corporation violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 4.

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 5.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 6.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance, Chapter 153 of the Code of Ordinances, and the Official Zoning Map, as amended, shall remain in full force and effect.

Section 7.

This Ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Sixth day of May, 2025.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

Meredith Ladd
City Attorney

APPROVED AS TO CONTENT:

Loren Shapiro, AICP
Planning Manager