

**ORDINANCE NO. 2024-005**

**AN ORDINANCE OF THE CITY OF PELICAN BAY, TEXAS, AMENDING THE PELICAN BAY ZONING ORDINANCE 180, SECTION 23 DESCRIPTION/DEFINITIONS OF USES; SUBSECTION 23.1 RESIDENTIAL USES; 23.1.1 BOARDING OR ROOMING HOUSE ADDING TO SECTION 23.1.18 SHORT TERM RENTAL (STR); BY AMENDING TABLE RESIDENTIAL TYPE USES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Pelican Bay, Texas (“City”) is a Type A general law municipality located in Tarrant County, created in accordance with Chapter 6 of the Local Government Code, and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City adopted a Zoning Ordinance; and

**WHEREAS**, the City has determined that the definition for short term rental should be revised.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Pelican Bay, Texas as follows:**

**SECTION 1.** The City Council hereby approves an amendment to the Subdivision and Zoning Ordinance by a definition to 23.1.18 Short-Term Rental (STR) to read as follows:

Short-Term Rental (STR) – Any portion, or all, of a dwelling unit offered or used for transient lodging, in exchange for compensation, for less than thirty (30) consecutive days. The definition of Short-term rental includes Live-in Management STR but does not include Household Care Facility, or Temporary Accessory Housing Shelter.

**SECTION 2** That the City Council hereby approves an amendment to the Zoning Ordinance table Residential Type Uses by adding Short-Term Rental

**SECTION 3.** Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**SECTION 4. PENALTY FOR VIOLATION**

Any person, firm, or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined five-hundred (\$500.00) dollars. Each such violation shall be deemed a separate offense and shall

be punishable as such hereunder for violation of this ordinance.

**SECTION 5. REPEALER.** All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**SECTION 6. SEVERABILITY CLAUSE** Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**SECTION 7. EFFECTIVE DATE** The Ordinance shall take effect and be in full force from and after the date of its passage.

**PASSED AND APPROVED ON THIS 27th DAY OF AUGUST 2024.**

  
\_\_\_\_\_  
Tamra Olague, Mayor

ATTEST:

  
\_\_\_\_\_  
Cynthia Daniels, City Secretary

Cynthia Daniels, City Secretary



RESIDENTIAL TYPE USES

TYPE OF USE	note <sup>1</sup>	A	SF-1	SF-2	SF-3	TF	MF	MH-1	MH-2	C-1	C-2	M-1	M-2	1
Boarding or rooming house	23.1.1						S			y	y			
Dormitory	23.1.2						S							y
Duplex (see Two family dwelling)														
Garden (patio) home (1)	23.1.4			y	y	y	S							
Guest house	23.1.5	y	y	S	S	S								
Manufactured housing, HUD Code	23.1.6	st			e			y	y					
Manufactured home park	23.1.7							1/1/1/1						
Manufactured home subdivision	23.1.8							y	y					
Mobile home	23.1.9							S	S					
Motel, motor hotel, or motor lodge	23.1.10									y	y			
Multifamily dwelling (2)	23.1.11				S	S	y							
Residence hotel (3)	23.1.12			y			y			y	y			
Retirement housing	23.1.13			y			y			S	S			
Servant's, caretaker's or ouard's residence	23.1.14	S	S	S	S	S	S	S	S	S	S	S		Y
Single-family dwelling, attached	23.1.15				y	y	AA <sup>1</sup>							S
Single-family dwelling, detached	23.1.16	1/1	y	y	y	y	y		y					S
Townhouse or row dwelling	23.1.17					S	y							
Travel trailer park	23.1.18	S							S	S	y	y		
Short Term Rental (STR) – See note below	23.1.18													
Two-family dwelling	23.1.20					y	y							
Zero lot line house	23.1.21			S	y	y	y							

<sup>1</sup>The number in this column references the description/definition listed in Section 23.

- (1) See Section 24.5 for additional regulations.
- (2) See Section 24.6 for additional regulations.
- (3) See Section 24.4 for additional regulations.

<sup>11</sup> See Section 7.2.1 of this ordinance.

<sup>11</sup> See Section 7.2 of this ordinance.

<sup>M</sup> See Section 26, especially 26.11.4, of this ordinance.

<sup>1/1/1</sup> See Section 12, especially 12.2 and 12.3, of this ordinance.

STR - Allowed but only less than 30 day period. See Ordinance 2024-005

**ACCESSORY AND INCIDENTAL USES**

TYPE OF USE	note*	A	SF-1	SF-2	SF-3	TF	MF	MH-1	MH-2	C-1	C-2	M-1	M-2	1
Accessory building to main use	19.7.1	^	y	y	y	y	y	y	y	y	y	y	y	y
Boat; boat trailer		y	YM	y/1/1	YM	YM	YM	y/1/1	y/1/1					
Carport	19.7.2	y	y	y	y	y	y	y	y					
Construction yard (temporary) (1)	19.7.3	y	y	y	y	y	y	y	y	y	y	y	y	y
Customary home occupation	19.7.5	Permitted In any district where residential use is located.												
Field or sales office, temporary (1)	19.7.4	y	y	y	y	y	y	y	y	y	y	y	y	y
Garage, private	19.7.6	y	y	y	y				y	y		y		
Motor home		y	y/1/1	y/1/1	y/1/1	y/1/1	y/1/1	YM	y/1/1					
Trailer: travel trailer; cattle trailer, etc.		y	y/1/1	YM	y/1/1	y/1/1	YM	YM	y/1/1					

\*The number in this column references the description/definition listed in Section 23.

(1) See Section 24.2 for additional regulations.

^ See Section 8.2.3 of this ordinance.

YM See Section 26.11.4 of this ordinance for special regulations.

Per the Minutes of August 27, 2024. City Council approves an amendment to the Subdivision and Zoning Ordinance by a definition to 23.1.18 Short-Term Rental (STR) to read as follows:

Short-Term Rental (STR) – Any portion, or all, of a dwelling unit offered or used for transient lodging, in exchange for compensation, for less than thirty (30) consecutive days. The definition of Short-Term rental includes Live-in Management STR but does not include Household Care Facility, or Temporary Accessory Housing Shelter.