



AGENDA
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7105 WHITLEY ROAD, WATAUGA, TEXAS 76148
WEDNESDAY, SEPTEMBER 16, 2026
6:30 PM

CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS

PRESENTATIONS

PUBLIC COMMENT This is an opportunity for citizens to address the Commission on items not posted on the current meeting agenda. Only those who have submitted a proper "Request to Speak Form" shall be permitted to speak. Citizens should provide their name and address for the record and will have no more than 3 minutes to speak. If representing an organization or group, the speaker should identify who they represent. Those wishing to speak are reminded 1). All comments are to be directed to the Commission. 2) Be respectful of others. 3) No profanity permitted. 4) Violators will be removed from the premises. No discussion by the Commission or Staff is allowed except to correct factual inaccuracies or request that the item be placed on a future agenda.

PUBLIC TESTIMONY FOR ACTION ITEMS This is an opportunity for citizens to address the Commission on current agenda action items (excludes presentations and reports). Only those persons who have submitted a proper "Request to Speak Form" will be allowed to speak. Citizens will be required to state their name and address for the record. They have up to 3 minutes to speak, and their comments must be germane to the item. If speaking for an organization or group, the speaker should identify the group represented. Commission members may ask questions or discuss the item with the citizens directly.

REPORTS

CONSENT AGENDA All the items on the consent agenda are considered to be self-explanatory by the Commission and will be enacted with one motion, one second, and one vote. There will be no separate discussion of these items. Any member wishing to pull an item may do so.

1. Consider action to approve the meeting minutes of the August 19, 2026 regular meeting of the Planning and Zoning Commission.

PUBLIC HEARING

1. **ORD.2026-017:** Public hearing to receive comments for or against text amendments to Section 115-35 of the Code of Ordinances to amend regulations, notice requirements, protests, and processes relating to zoning code amendments and zoning classification/district boundary changes as required by Texas Local Government Code Chapter 211.

ACTION ITEMS

1. **ORD.2026-017:** Consider action on a recommendation and report for text amendments to Section 115-35 of the Code of Ordinances to amend regulations, notice requirements, protests, and processes relating to zoning code amendments and zoning classification/district boundary changes as required by Texas Local Government Code Chapter 211.

Jeannette Garcia, Planner I

ITEMS FOR FUTURE AGENDAS

ADJOURNMENT

Meeting Notices and Reservation of Rights The City Council/Board/Commission/Committee may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the [City Council/Board/Commission/Committee] to address a subject matter on the agenda. Action, if any, will be taken in open session. Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

[PZA_LEGAL_INFO]
NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625 FOR FURTHER INFORMATION.

I, Linda Proskey, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on September 10, 2026, before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.

/S/ Linda Proskey
City Secretary





AGENDA MEMORANDUM

DATE: August 21, 2026
TO: Planning and Zoning Commission Members
FROM: Jeannette Garcia, Planner I
SUBJECT: Consider action to approve the meeting minutes of the August 19, 2026 regular meeting of the Planning and Zoning Commission.

BACKGROUND/INFORMATION:

This item contains meeting minutes from August 19, 2026 for Planning and Zoning review and approval.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

Staff recommends the Planning and Zoning Commission review and approve the meeting minutes as presented.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. August 19, 2026 - Regular Meeting Minutes - DRAFT

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 9/9/2026
Paul Hackleman, Director of Public Works	Approved - 9/9/2026
Sandra Gibson, City Manager	Approved - 9/10/2026
Linda Proskey, City Secretary	Final Approval - 9/10/2026
<i>Approved as to form for inclusion on Agenda</i>	



"A GREAT PLACE TO LIVE"

**MINUTES
PLANNING AND ZONING COMMISSION
WEDNESDAY, AUGUST 19, 2026
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
REGULAR MEETING
6:30 P.M.**

CALL TO ORDER

Chairperson Karen Isbell called the meeting to order at 6:36 p.m.

ROLL CALL

Sebastian Posada
Quincy Adams
Jillian Giles
Mia Whitham
Darlene Chavious
Karen Isbell
Sharon Gehle

Place 1, Member
Place 2, Secretary - **Absent with Notice**
Place 3, Vice-Chairperson
Place 4, Member
Place 5, Member
Place 6, Chairperson
Place 7, Member

And

Cris Blackburn
Art Miner
Jeannette Garcia
Randy Richards

City Council Place 2, Liaison
Mayor
Planner I
Public Works Asst. Director

PRESENTATIONS

PUBLIC COMMENT

Chairperson Isbell called for Public Comment, and there were no participants requesting to speak.

PUBLIC TESTIMONY FOR ACTION ITEMS

Chairperson Isbell called for Public Testimony for action items, and there were no participants requesting to speak.

ANNOUNCEMENTS

CONSENT AGENDA

1. Consider action to approve the meeting minutes of May 20, 2026, regular meeting of the Planning and Zoning Commission

Chairperson Isbell entertained a motion. Member Gehle made a motion to approve May 20, 2026 minutes as presented and Member Chavious seconded the motion.

With there being no discussion, Chairperson Isbell called for a vote, with members present voting as follows:

AYES:	Posada, Giles, Whitham, Chavious, Gehle
NAYS:	None
ABSENT:	Adams
ABSTAIN:	None

The motion carried 5-0-1-0.

PUBLIC HEARING

1. **ORD.2026-017:** Public hearing to receive comments for or against text amendments to the Code of Ordinances Chapter 115 – Zoning Article II for the purpose of amending administrative regulations, notice requirements, protests, and processes relating to zoning code amendments and zoning classification/district boundary changes as required by Texas Local Government Code Chapter 211.

Chairperson Isbell introduced the item and called on staff member Jeannette Garcia to introduce the request. Ms. Garcia introduced the request.

She informed that following several discussions between administration and staff, text amendments have been proposed for adoption of general regulations in Chapter 115 – Zoning to be consistent with the State Zoning laws.

The public hearing notice was published in the Commercial Recorder on Monday, August 3, 2026, to receive comments for or against the text amendments proposed in the Code of Ordinances Chapter 115.- Zoning.

Staff considered the following criteria for the amendment:

1. The administration expressed to staff the concern that amendments have not been made in several years to the city's Code of Ordinances. Over the years, the Texas legislature has made several significant changes that make many of the city's ordinances either obsolete, incomplete, or invalid.

The proposed amendment aligns with Chapter 211 of Texas Local Government Code. Staff support this objective.

(PowerPoint was shared. Reference the CSO official media recording available on the city website.)

Member Whitham questioned the reasoning to do away with the supermajority language as is currently stated in the city's code of ordinance. She also stated the language could remain as is in the Code of Ordinances for negative recommendations by the commission; asking for verification if it is a policy choice; not a requirement ordered by state law.

Building Official Richards advised it to be a policy choice to come in line with state law.

Member Whitham also stated it seems that the commission is being asked to vote away one of its most meaningful pieces of influence when it comes to reviewing items which come before the commission.

The mayor advised in 2021 that the regulation should have been repealed in 2021-22.

Member Giles inquired if this creates a contradiction with city charter or does it pull the city more in line with the city charter.

Ms. Garcia advised it to bring the city more in line with city charter.

Member Giles confirmed if the action to be taken was to request for a recommendation for or against the ordinance revision as posted.

Chairperson Isbell opened the public hearing at 6:57 p.m. With no one wishing to speak during the public hearing, the public hearing was closed at 6:57 p.m.

2. **Z.26-02:** Public hearing to receive comments for or against a request for a zoning change from Single-family (SF6) to Planned Development (PD) for single-family homes at the property commonly known as 5900-5901 Ridgecrest Drive, being described as Lot 10 Block 5, and Lot 1 Block 6 of the Ridgecrest Addition-Watauga; and consider action on a preliminary report to allow for six (6) single-family homes. Owner, Pat Land LLC. Applicant/Authorized agent, David Lewis

Chairperson Isbell introduced the item and called on staff member Jeannette Garcia to introduce the request.

Ms. Garcia shared that on April 29, 2026, a zoning change application was submitted by Pat Land LLC, requesting the zoning change from Single Family (SF-6) to Planned Development (PD). The Planned Development will allow for the construction of six additional single-family homes. The PD language is

subject to the Single Family (SF-6) District Regulations, with some exceptions to include size and density. The PD development regulations are attached for your review.

The request for the PD is proposed as the lots are a minimum 50 feet in width, which is under the width requirement of 60 feet in Sec. 115-62 of the Code of Ordinances, Chapter 115, Zoning.

While all the lots face Whitley Road, they will share a common private slip street parallel to Whitley Road. The 24-foot-wide private access street would be located within a 70-foot-wide private maintenance access, drainage and utility easement. DRT has requested stained patterned concrete be used for a median and an inset parallel parking area will be built to provide visitor parking at each residence by the builder.

The homeowner's association will be responsible for maintenance of all access easements, retaining walls, private access drive and connection to Whitley Road, streetlights, sidewalks along right of way, all landscaped areas not on private residential lots, and all other associated appurtenances related to this PD development.

The 1.455-acre development falls just under the medium density designation.

The proposed Planned Development (PD) district is intended to encourage greater flexibility and an additional opportunity for a higher standard of land development. The PD District also encourages residential development by offering creative development scenarios.

Proposed language in the PD Ordinance specifies the following in Dwelling number and size regulations:

- Each lot shall encompass one residential dwelling.
- The residential lot width shall be no less than fifty feet, as depicted in Zoning Exhibit.
- The bulk-controlled area of the dwelling shall be no less than one thousand eight hundred (1,800) square feet.

The estimated list price for this new home is projected to be approximately \$499,000 to \$549,000

The required notices were mailed to the property owners within 200 ft. of the proposed development. One sign has been erected on the property which contains a notice of hearing and telephone number of staff from whom dates may be obtained.

Ms. Garcia introduced the applicants, Mr. Keith Hamilton and Mr. David Lewis.

Mr. Hamilton advised that a development was completed approximately 7 years ago in the City of North Richland Hills. He asked if anyone had any questions.

Member Giles inquired about the location in North Richland Hills.

Member Whitham inquired about the HOA becoming defunct. Assistant Public Works Director Randy Richards responded that several of the new developments in the city are responsible for forming HOA. The agreement acknowledges that items not maintained by the HOA can be corrected by the city and the city can then collect fees for the work completed.

Member Gehle commented that the end lot drives could be moved to the opposite side so that a turn radius is more accessible for the residents.

She also questioned the retaining wall and the five (5) foot utility easement. Mr. Hamilton advised the five-foot swell will move the water towards Whitley Road rather than run to the south in the adjacent neighborhood.

Member Gehle then questioned the masonry requirements for the use of hardie board. Mr. Hamilton advised the commission that the building code cannot dictate the type of building materials used.

Chairperson Isbell opened the public hearing at 7:14 p.m. and called speakers to the podium requesting name and address.

Donna McBride	6952 Brandywine	Oppose development
Melinda McCullough	6917 Cheatham Dr	Supports development

Concerns regarding the proposed development include drainage, trash collection, and underground springs.

Mr Richards stated the intent of the development is not to have any impact on the adjacent properties. Trash pickup and mail service will also be discussed.

He assured residents in attendance that staff will take all matters into consideration when plans are reviewed.

With no others wishing to speak, the public hearing was closed at 7:27 p.m.

ACTION ITEMS

1. **ORD.2026-017:** Consider action on a final report for text amendments to the Code of Ordinances Chapter 115 – Zoning Article II for the purpose of amending administrative regulations, notice requirements, protests, and processes relating to zoning code amendments and zoning classification/district boundary changes as required by Texas Local Government Code Chapter 211

City staff had no further comment.

Member Gehle inquired if motion can be made to table the item to the next Planning and Zoning meeting. Staff stated that this can happen with motion.

Chairperson Isbell entertained a motion for item Ord.2026-017. A motion was made by Member Gehle and a second by Member Posada to table the item to allow the city attorney to confirm that a motion to deny the proposed ordinance will require a supermajority vote by the council. This item will be at the next scheduled planning and zoning meeting.

With there being no discussion, Chairperson Isbell called for a vote, with members present voting as follows:

AYES: Posada, Giles, Whitham, Chavious, Gehle
NAYS: None
ABSENT: Adams
ABSTAIN: None

The motion carried 5-0-1-0 to table the item.

2. **Z.26-02:** Consider action to approve a request for a zoning change from Single-family (SF6) to Planned Development (PD) for single-family homes at the property commonly known as 5900-5901 Ridgecrest Drive, being described as Lot 10 Block 5, and Lot 1 Block 6 of the Ridgecrest Addition-Watauga; and consider action on a final report to allow for six (6) single-family homes. The subject property is located south of Hightower Drive, east of Whitley Road, west of Quail Run Drive and north of Chapman Road. Owner, Pat Land LLC. Applicant/Authorized agent, David Lewis

Chairperson Isbell entertained a motion. A motion was made by Member Gehle and a second by Member Giles to approve the preliminary report for recommendation for zoning change for the property known as 5900 Ridgecrest Drive.

As civic clerk was not resetting to allow digital voting, the vote was taken by show of hand.

AYES: Posada, Giles, Whitham, Chavious, Gehle
NAYS: None
ABSENT: Adams
ABSTAIN: None

The motion carried 5-0-1-0.

ITEMS FOR FUTURE AGENDAS

Sebastian Posada
Quincy Adams

Place 1 - None
Place 2 – Absent w/notice

Jillian Giles
Mia Whitham
Darlene Chavious
Karen Isbell
Sharon Gehle

Place 3 – None
Place 4 – None
Place 5 – None
Place 6 - None
Place 7 – None

ADJOURNMENT

With there being no further items to discuss, Chairperson Isbell adjourned the meeting at 7:35 p.m.

APPROVED: this the _____ day of _____, 20____.

SIGNED: this the _____ day of _____, 20____.

APPROVED: _____
Karen Isbell, Chairperson

ATTEST: _____
Quincy Adams, Secretary

NOTE: Original Audio Recording of this meeting is preserved and maintained by the City Secretary's Office.



AGENDA MEMORANDUM

DATE: August 21, 2026

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **ORD.2026-017:** Public hearing to receive comments for or against text amendments to Section 115-35 of the Code of Ordinances to amend regulations, notice requirements, protests, and processes relating to zoning code amendments and zoning classification/district boundary changes as required by Texas Local Government Code Chapter 211.

BACKGROUND/INFORMATION:

The public hearing notice was duly posted and published by the City Secretary's Office on August 3, 2026, in the Commercial Recorder and on the City of Watauga website as required by Local Government Code Chapter 211.

A public hearing was held on August 19, 2026, and there were no attendees requesting to speak on this matter.

Following several discussions between administration and staff, text amendments were proposed for adoption of general regulations in Chapter 115 – Zoning to be consistent with the State Zoning laws.

Staff considered the following criteria for the amendment as city administration expressed to staff the concern that amendments have not been made in several years to the city's Code of Ordinances. Over the years, the Texas legislature has made several significant changes that make many of the city's ordinances either obsolete, incomplete, or invalid.

The proposed amendment allows staff to be more consistent with the City Charter and Chapter 211 of the Texas Local Government Code.

Part I - Charter. Article XI. Planning and Zoning Commission. Sec. 11.02. Powers and Duties. The commission shall be responsible to and act as an advisory body to the city council and shall have and perform such additional duties as may be prescribed by ordinance.

FINANCIAL IMPLICATIONS:

NA



AGENDA MEMORANDUM

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends consideration of comments received regarding the preliminary report.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 081926 PZ Public Hearing Notice
2. CommercialRecorder 08-03-2026

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 9/9/2026
Paul Hackleman, Director of Public Works	Approved - 9/9/2026
David Berman, City Attorney	Approved - 9/10/2026
Sandra Gibson, City Manager	Approved - 9/10/2026
Linda Proskey, City Secretary	Final Approval - 9/10/2026
<i>Approved as to form for inclusion on Agenda</i>	



NOTICE OF PUBLIC HEARINGS

Notice is hereby given that there will be public hearings before the City of Watauga Planning and Zoning Commission at its regularly scheduled meeting on August 19, 2026 beginning at 6:30 p.m. in the City Council Chambers at 7105 Whitley Road, Watauga, TX and before the City Council at its regularly scheduled meeting on September 14, 2026 beginning at 6:30 p.m. in the City Council Chambers at 7105 Whitley Road, Watauga, TX to receive comments for or against the following items:

ORD.2026-017: Consider action on text amendments to the Code of Ordinances Chapter 115 – Zoning Article II for the purpose of amending administrative regulations, notice requirements, protests, and processes relating to zoning code amendments and zoning classification/district boundary changes as required by Texas Local Government Code Chapter 211.

Z.26-02: Consider a request for a zoning change from Single-family (SF6) to Planned Development (PD) for single-family homes at the property commonly known as 5900-5901 Ridgecrest Drive, being described as Lot 10 Block 5, and Lot 1 Block 6 of the Ridgecrest Addition-Watauga; and consider action on a preliminary report to allow for six (6) single-family homes. The subject property is located south of Hightower Drive, east of Whitley Road, west of Quail Run Drive and north of Chapman Road. Owner, Pat Land LLC. Applicant/Authorized agent, David Lewis.

RP.26-01: Consider request for a replat for Lot 10 Block 5, and Lot 1 Block 6 of the Ridgecrest Addition; and consider action on this replat to subdivide 1.455 acres to allow for six (6) single-family homes. The property is known as 5900-5901 Ridgecrest Drive, being south of Hightower Drive, east of Whitley Road, west of Quail Run Drive and north of Chapman Road. Owner/applicant: Pat Land LLC, Keith Hamilton.

Published on Aug. 3, 2026 in the Commercial Recorder, Published Legals Section.

I, Linda Proskey, City Secretary for the City of Watauga, Texas, hereby certify that this notice was posted on the official bulletin board at City Hall, 7105 Whitley Road, Watauga, Texas, on Aug 3, 2026 before 6:30 p.m., in accordance with Chapter 551 of the Texas Government Code.

/s/ Linda Proskey
Linda Proskey, City Secretary

Commercial RECORDER

Court and Commercial Daily

— ESTABLISHED 1903 —

VOL. 124 — NO. 147
COPYRIGHT 2026 RECORDER PUBLISHING COMPANY

MONDAY MORNING, AUGUST 3, 2026

commercialrecorder.com
(ISSN 1091-3998) SINGLE COPY 75¢

The Bike

by Daris Howard
When I lived in New York, I was doing service work, and the group of us young adults doing that work mostly got around on bikes. Some of us who had extremely limited incomes had bikes that barely ran, often spending most of the free time we had to keep them working. Another problem we often had was that bikes were major swipe items, especially when we worked in the ghettos of some of the bigger cities. There was more than once when we went to a place such as a hospital to visit those who were sick that we would come out, and our bikes would be missing, even if they had been chained up. Sometimes, when they were chained up, we might find them stripped. Pedals, tires, handlebars, and anything that could be taken were gone, leaving only the chained-up frame.

Johnson, one of our group, had his bike was his ultimate frustration in life. Then, one day, we had a big group meeting, and Johnson, along with Hamilton, his assistant, didn't show up. It was an important meeting to work out our itinerary for the month, so we tried to call them. But in those days, there were only landlines, and though we let it ring for a long time, there was no answer. We finally had to start the meeting without them. Toward the end of the meeting, they walked in. Johnson was visibly upset. "Where have you two been?" our leader asked. Johnson let out an exasperated sigh. "My bike was stolen, so we had to take the city bus as far as it would get us. Then it was a three-mile walk the rest of the way to get here." The bike was frustrating, but not having one was worse. Johnson grinned. "We stopped at a garage sale and found it there." "How did you ever afford it?" another young man asked. "It was only eight dollars," Johnson replied. "The crazy thing is, it's Johnson's own bike that was stolen," Hamilton added. They showed us his name that he had scratched into the frame, now mostly painted over. "Did you confront them about having stolen it?" I asked. "Are you kidding?" Johnson asked. "It has a new paint job, it's all fixed up perfect, and the brake adjustments are phenomenal. It runs and looks like new. I couldn't have gotten that kind of service job done on it for under fifty bucks." He then broke out into a big grin. "So, hey, what's eight bucks among friends?"

Texas A&M Forest Service Adds Airpower to Fight Against Wildfires with Three New Aircraft

BRYAN, COLLEGE STATION, Texas — Texas' ability to detect, track and fight wildfires is growing even stronger with the acquisition of three new multi-mission aircraft for Texas A&M Forest Service. The purchase marks the agency's second major aviation acquisition in recent weeks, following the addition of two wildfire suppression helicopters, and represents another significant step toward building Texas' first dedicated, state-managed wildfire aviation fleet. "The safety of Texans is our No. 1 priority. Texas has secured a dedicated fleet of multi-mission aircraft to fight wildfires on our own terms," said Governor Greg Abbott. "These aircraft deliver early detection and critical intelligence so our firefighters can protect lives and property." Multi-mission aircraft enhance firefighter safety and improve decision-making by detecting wildfires early, tracking fire behavior in near real time, providing crews with accurate imagery of the entire incident and helping coordinate air and ground resources more effectively. "Texas is making a historic investment in protecting our

people, property and communities from wildfires," said Robert Albritton, chairman of The Texas A&M University System Board of Regents. "These aircraft will give Texas A&M Forest Service the speed, intelligence and flexibility to respond more effectively when lives are on the line. The Board of Regents is proud to help build a dedicated Texas fleet that will be ready when Texans need it." Texas A&M Forest Service developed its aviation strategy based on recommendations from a 12-entity Aviation Task Force created to determine the aircraft and capabilities Texas needs for a flexible, effective wildfire response fleet. The Task Force recommended a combination of helicopters for precise water drops and tactical support, versatile fixed-wing multi-mission aircraft for intelligence and coordination, and large airtankers capable of delivering substantial amounts of fire retardant to slow a wildfire's spread. "Texas should not have to wait for aircraft to become available when a wildfire threatens our communities," said Chancellor Glenn Hegar. "Building a dedicated state fleet gives Texas A&M

Forest Service the ability to see fires sooner, make better decisions and move resources where they are needed most. This is a practical investment that will help the Texans, their property and the state. Without a dedicated fleet, Texas as historically has relied on aircraft obtained through federal resource-sharing agreements. Those aircraft can be reassigned when higher-priority fires develop elsewhere in the country. With funding provided by the 89th Texas Legislature, Texas is building a fleet dedicated to protecting communities within the state. The aircraft will remain under state management, giving Texas a more dependable and responsive aerial defense against wildfires. "During the 89th Legislative Session, we made a historic promise to the people of Texas to bolster our state's defenses against catastrophic wildfires," said state Rep. Ken King. "Today, I am proud to see Texas A&M Forest Service moving with incredible speed and administrative precision to turn that promise into a reality. This fast-tracked acquisition means these life-saving airplanes and helicopters will be

in our skies and ready to protect our communities sooner." The new aircraft will provide near-real-time video, mapping, heat detection and other situational awareness tools that give incident commanders and firefighters a more complete picture of conditions on the fire line. "Every wildfire is different, which is why a diverse aviation fleet is so important," said Texas A&M Forest Service Fire Chief Jared Karns. "Having multiple aircraft types available, including multi-mission aircraft platforms that can serve a variety of roles, allows us to respond effectively to the unique demands of each incident." Through House Bill 500, the Texas Legislature appropriated \$257 million in 2025 for Texas A&M Forest Service to purchase, operate and maintain wildfire suppression aircraft. Nine aircraft are currently staged in Texas for wildfire response. Since Jan. 1, Texas A&M Forest Service has mobilized aircraft 115 times in response to wildfire incidents. Those aviation resources have dropped more than 1.25 million gallons of water and fire retardant on wildfires across the state.

The multi-mission aircraft were acquired through the State of Texas procurement process administered by the Texas Comptroller's Statewide Procurement Division. After an evaluation of submitted proposals, the contract was awarded to Bridger Aerospace Group Holdings LLC. Texas A&M Forest Service also is pursuing the final planned component of the new fleet: Four large airtankers that are currently in the state procurement process. **About The Texas A&M University System** The Texas A&M University System is one of the largest and most impactful higher education systems in the country, with an annual budget of \$9.1 billion. Its statewide network includes 12 universities, a comprehensive health science center, eight state agencies, Texas A&M-Fort Worth, and the Texas A&M-RELLIS Campus. The A&M System serves nearly 175,000 students and reaches millions more through research, service, and outreach programs each year. With nearly \$1.6 billion in annual research expenditures, the A&M System fuels innovation, supports communities, and drives Texas's economy forward.

PUBLIC NOTICE	PUBLIC NOTICE	PUBLIC NOTICE	PUBLIC NOTICE	PUBLIC NOTICE	PUBLIC NOTICE	PUBLIC NOTICE	PUBLIC NOTICE
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Notice to Bidder

REQUEST FOR PROPOSALS
Eagle Mountain-Saginaw ISD will accept proposals for **Retail and Wholesale Merchandise Stores, Food Suppliers and Restaurants/ Catering** . Proposals will be accepted electronically through our eBid system until July 31, 2027 , prior to 2:00 p.m. CDT. Awards will be made to multiple vendors on an incremental basis during the solicitation offering period. Information will be posted on our website: www.emsisd.com / Departments / Purchasing / Bid Opportunities, or you may call 817-232-0880 x2693 for assistance. Vendors must be registered in the EMSISD Purchasing online vendor registration system to view and provide a response.

7-31 8-3

REQUEST FOR PROPOSALS
Eagle Mountain-Saginaw ISD will accept proposals for **Maintenance, Operations and Transportation Supplies, Parts, Equipment and Related Services** . Proposals will be accepted electronically through our eBid system until July 31, 2027 , prior to 2:00 p.m. CT. Awards will be made to multiple vendors on an incremental basis during the solicitation offering period. Vendors are encouraged to submit responses as soon as possible. Information will be posted on our website: www.emsisd.com / Departments / Purchasing / Bid Opportunities, or you may call 817-232-0880 x2692 for assistance. Vendors must be registered in the EMSISD Purchasing online vendor registration system to view and provide a response.

7-31 8-3

REQUEST FOR PROPOSALS
Eagle Mountain-Saginaw ISD will accept proposals for **Technology, Network, and Data Management Accessories, Parts, Equipment, and Related Equipment Services** . Proposals will be accepted electronically through our eBid system until July 31, 2027 , prior to 2:00 p.m. CT. Awards will be made to multiple vendors on an incremental basis during the solicitation offering period. Vendors are encouraged to submit responses as soon as possible. Information will be posted on our website: www.emsisd.com / Departments / Purchasing / Bid Opportunities, or you may call 817-232-0880 x2692 for assistance. Vendors must be registered in the EMSISD Purchasing online vendor registration system to view and provide a response.

7-31 8-3

REQUEST FOR PROPOSALS
Eagle Mountain-Saginaw ISD will accept proposals for **Print Services, Awards/Recognition Items, Promotional/Spirit Items, Apparel and Related Services**. Proposals will be accepted electronically through our eBid system until July 31, 2027, prior to 2:00 p.m. CDT. Awards will be made to multiple vendors on an incremental basis during the solicitation offering period. Information will be posted on our website: www.emsisd.com / Departments / Purchasing / Bid Opportunities, or you may call 817-232-0880 x2693 for assistance. Vendors must be registered in the EMSISD Purchasing online vendor registration system to view and provide a response.

7-31 8-3

REQUEST FOR PROPOSALS
Tarrant County Hospital District dba JPS Health Network Contracts Management Department is soliciting proposals for the following:
Request for Proposal: 20261395820 - RFP Project Manager ERP / WFM Implementation

Pre-Proposal Conference:
N/A
Due Date: 08-06-2026 2:00 pm CST

Proposals must be submitted by the due date and time specified. Late responses will not be accepted under any circumstances. Please visit jpshealthnet.org/vendors for more information.

7-28 8-3

eREQUEST FOR QUALIFICATIONS
RFQuote 2-2026 Irrigation Services at WITC/@the Six
Fort Worth Housing Solutions (FWHS) is seeking quotes for irrigation services. Electronic submissions must be uploaded to the Bonfire eProcurement Portal.
FWHS reserves the right to reject any or all RFQ's. MBE/WBE firms are encouraged to submit a response.
ELECTRONIC SUBMISSION (Late responses will not be excepted)**RFQUOTE SITE VISIT, QUESTIONS, & CLARIFICATION DEADLINE**
DATE & TIME: Monday, August 17, 2026, 2026 at 1:00 p.m. Central
SEND TO: All questions for the RFQuote must be submitted in writing through the Euna-Bonfire Portal at <https://fwhs.bonfirehub.com>
Site visits must be scheduled, send request to procurement@fwhs.org.
ELECTRONIC SUBMISSION (Late responses will not be accepted)
QUOTES DUE DATE & TIME: Monday, August 24, 2026 at 1:00 p.m. Central
QUOTE UPLOAD LINK: <https://fwhs.bonfirehub.com>
Starting July 20, 2026, solicitation documents will be available through our eProcurement portal, which is also located on our website at www.fwhs.org/bid-invitations.
Fort Worth Housing Solutions
Procurement Department
(817)333-2101

7-22 8-3

Notice to Creditors

NOTICE TO CREDITORS
CAUSE NO. 2025-PR03025-1
Notice is hereby given that Letters of Administration for the Estate of Jacqualyne Gail Rivera, Deceased, were issued on June 30, 2026 in Cause No. 2025-PR03025-1 pending in the Probate Court No. One of Tarrant County, Texas, to Richard Rivera, Independent Administrator.
Claims may be presented in care of the estate, addressed as follows: Richard Rivera, c/o Downing law Firm, 1176 W. Pioneer Parkway, Arlington, Texas 76013.
All persons having claims against the Estate, which is currently being administered, are required to present item within the time and in the manner prescribed by law.
Downing Law Firm
1176 W. Pioneer Parkway
Arlington, Texas 76013
jack@downinglaw.net

8-3

NOTICE TO CREDITORS
CAUSE NO. 2026-PR01506-1
Notice is hereby given that Letters of Administration with Will Annex for the Estate of Debra J. Poss, Deceased, were issued on June 29, 2026 in Cause No. 2026-PR01506-1 pending in the Probate Court No. One of Tarrant County, Texas, to Melody Ruth Ramey, Independent Administrator.
Claims may be presented in care of the estate, addressed as follows: c/o Cary M. Schroeder, P.O. Box 822716, North Richland Hills, Texas 76182.
All persons having claims against the Estate, which is currently being administered, are required to present item within the time and in the manner prescribed by law.
Cary M. Schroeder
Attorney at Law
P.O. Box 822716

North Richland Hills, Texas 76182
schroederlawfirm@gmail.com

8-3

NOTICE TO CREDITORS
CAUSE NO. 2025-PR02054-1
Notice is hereby given that Letters of Administration for the Estate of Jimmy Don Beasley, Deceased, were issued on June 30, 2026 in Cause No. 2025-PR02054-1 pending in the Probate Court No. One of Tarrant County, Texas, to Stephanie Rottman Beasley, Independent Administrator.
Claims may be presented in care of the estate, addressed as follows: 5752 Boat Club Road, Suite 400, Fort Worth, Texas 76179.
All persons having claims against the Estate, which is currently being administered, are required to present item within the time and in the manner prescribed by law.
Trey Harlin, P.C.
Trey Harlin, Attorney
5752 Boat Club Road, Suite 400
Fort Worth, Texas 76179
trey@harlinlaw.com

8-3-10

NOTICE TO CREDITORS
CAUSE NO. 2025-GD00142-2
Notice is hereby given that Letters of Guardianship for the Guardianship of Yolanda Moreno Ramos, an Incapacitated Person, were issued on July 28, 2026 in Cause No. 2025-GD00142-2 pending in the Probate Court No. Two of Tarrant County, Texas, to Linda Yvonne Grady, Guardian.
Claims may be presented in care of the estate, addressed as follows: c/o Cary M. Schroeder, P.O. Box 822716, North Richland Hills, Texas 76182.
All persons having claims against the Estate, which is currently being administered, are required to present item within the time and in the manner prescribed by law.
Schroeder Law Firm
P.O. Box 822716
North Richland Hills, Texas 76182
schroederlawfirm@gmail.com

8-3

NOTICE TO CREDITORS
CAUSE NO. 2026-PR01012-1
Notice is hereby given that original Letters Testamentary for the Estate of Cary A. Mitchell, Deceased were issued on July 21, 2026, in Cause No. 2026-PR01012-1, pending in County Court at Law No. One of Tarrant County, Texas, to the named Independent Executor whose name and address is below:
ANN L. MITCHELL
c/o Lacy Malone Ryder & Menefee, PLLC
201 Main Street, Suite 1440
Fort Worth, Texas 76102
All persons having claims against this estate which is currently being administered are required to present them within the time and in the manner prescribed by law. All persons having claims should address them in care of the representative at the address stated above.
DATED the 30th day of July, 2026.
/s/ Tom M. Ryder
Tom M. Ryder
State Bar No. 17491800
Tom@LacyMalone.com
Blake J. Garcia
State Bar No. 24137584
Blake@LacyMalone.com
LACY MALONE RYDER & MENEFE, PLLC
201 Main Street, Suite 1440
Fort Worth, Texas 76102
Telephone: (817) 349-8409
Facsimile: (817) 349-8006
ATTORNEYS FOR INDEPENDENT EXECUTOR, ANN L. MITCHELL

8-3

Notice of Public Sale

NOTICE OF PUBLIC SALE:
Pursuant to Chapter 59 of the Texas Property Code All Storage located at 1416 N. Old Decatur Rd, Saginaw, TX 76179 will release the

contents of storage units described below to be sold at public auction or otherwise disposed of to satisfy a Landlord's Lien. Sale will end on **8/20/2026 12:00 PM** . Everything sold is purchased AS IS for CASH ONLY. See and bid on all units 24/7 @ www.Lockerfox.com. Tenant name, Unit # and general description of following units are as follows. Alma Megia, units 1300 & 1345, Furniture, Totes, Clothing, Boxes; Monique Smith, unit 2038, Furniture, Appliances, Totes; Demario Johnson, unit 2130, Tools, Appliances, Furniture; Tameshia Anderson, unit 2153, Refrigerator; JerCaila Gay, unit 2181, Washer, Dryer, Toys; Corin Wyndendorf, unit 2462, Appliances, Bags, Totes; Analisa Ellis, unit 3005, Boxes, Bags, Electronics; Danielle Buford, unit 3160, Cooler, Bags, Boxes; Kiara Dickens, unit 3176, Bike, Bags, Luggage.

8-3-10

NOTICE OF PUBLIC SALE
NOTICE OF SALE Property will be sold to satisfy a landlord's lien per Chapter 59 Self-service Storage Facility Liens. Sale on Tuesday the 11th day of August, 2026 at 8:00 AM with bidding to take place on lockerfox.com. Payment and pickup at facility. U-Haul Moving & Storage at Collins & Green, 2729 N Collins St, Arlington, TX, 76006 AYLANNING; U-Haul Moving & Storage at E Lancaster, 5032 E Lancaster, Fort Worth, TX, 76103 Keiondra Myers(2); U-Haul Moving & Storage at Hulen, 7225 S Hulen St, Fort Worth, TX, 76133 Jai Brion Lacy; U-Haul Moving & Storage at I-35 & Berry St, 2936 S Freeway, Fort Worth, TX, 76104 CAMILLE BROWN. Tarik Mcwhorter; U-Haul Moving & Storage of Arlington, 2315 W Division, Arlington, TX, 76012 VICTORIA DJUNGU SUNGU. taquisha Lawson. La-diamond Crockett. ANTONIO BELL. Edward Conyers. BRIAN QUINN(2). REGINA SMITH. RENEE PRYOR. antonio lopez. Timothy Moore; U-Haul Moving & Storage of E Fort Worth at 820 & I-30, 1101 E Loop 820, Fort Worth, TX, 76120 ASHLEY MADISON. travis rider. kyla Fowler. Tiniika Chavers. Cj Johnson. Jasmine Black; U-Haul Moving & Storage of E Fort Worth at 820 & I-30 II, 6801 Anderson Blvd, Fort Worth, TX, 76120 ERIC PHIRI. Cassandra White. CARMETRICE SOLOMON. Renee Brooks. RONALD ARMSTRONG(2); U-Haul Moving & Storage of East Arlington, 2901 E Pioneer Pkwy, Arlington, TX, 76010 MORDECAI KAOKA. Gayard Cherilus. JEFFREY OPKU. Linh Nguyen. STEVE CLARK(2); U-Haul Moving & Storage of S Fort Worth - Altamesa, 3019 Altamesa Blvd, Fort Worth, TX, 76133 MCKENZIE Walker. ARABIA OLIVER. Victor Barnes. meltorcia magee; U-Haul Moving & Storage of Westside, 1000 Alta Mere Dr, Fort Worth, TX, 76116 maxine willburn. LATAJISIA EPPS. JUAN LAZCANO. ALLISON LACY. ASHALLI CANNON. Mohamed Hamza. SERGIO PINA ZERPA. Katherine Hopkins. Fredrick Malone. Sherry Smith. John Robinson; U-Haul Storage of S Fort Worth - Altamesa, 3450 Altamesa Blvd, Fort Worth, TX, 76133 jordan coleman. RASHUNDA FLANDERS. KIRK EVANS. kirstie bonham. anishita conover(2). Clifton Foster.

7-27 8-3

NOTICE OF PUBLIC SALE
Notice of Public Sale pursuant to Chapter 59 of Texas property code to satisfy a landlord's lien. Sale to be held for Fortify Self Storage which is located at 3016 S. Cooper St, Arlington, TX 76015 on storageauctions.com starting, on Wednesday, August 5th, 2026 and ending on August 12th, 2026 @ 9:00 AM. Cleanup deposit is required. The seller reserves the right to withdraw the property at any time before the sale. Unit items sold

to the highest bidder. Property includes the contents of spaces of the following tenant and is primarily household items and furniture.

Gregory Bolden Jr, Djonna Foote, Donald Logan, Valerie Maxfield, John Sipes, Ashley Thompson, Perla Valenzuela Silva, Christina Winters.

7-27 8-3

NOTICE OF PUBLIC SALE
Notice of Public Sale pursuant to Chapter 59 of Texas property code to satisfy a landlord's lien. Sale to be held for Fortify Self Storage which is located at 2331 S. Collins St, Arlington, TX 76014 on storageauctions.com starting, on Wednesday, August 5th, 2026 and ending on August 12th, 2026 @ 9:00 AM. Cleanup deposit is required. The seller reserves the right to withdraw the property at any time before the sale. Unit items sold to the highest bidder. Property includes the contents of spaces of the following tenant and is primarily household items and furniture.

Fernando Betancourt, Fabiola Cuevas, Yolandah Davis, Javier Estrada, Takeyla Harrison.

7-27 8-3

NOTICE OF PUBLIC SALE.
Notice is hereby given that PODS Enterprises, LLC, located at 2221 Reeves Place Suite 200, Fort Worth, TX 74118, will sell the contents of certain containers at auction to the highest bidder to satisfy a landlord's lien. Auction will be held online at www.StorageTreasures.com starting on August 13, 2026 and ending on August 20, 2026. Contents to be sold may include general household goods, electronics, office & business equipment, furniture, clothing and other miscellaneous property. The name of the occupants and items to be sold are as follows: Andrea Green – Luggage, Boxes, Bedding and miscellaneous items; Angela Vess- Boxes, Chairs, Shelves and miscellaneous items; Kenneth Howard - mattress, box spring, dresser and miscellaneous items.

7-27 8-3

NOTICE OF PUBLIC SALE
Notice of Public Sale of Property to satisfy a landlord's lien. Sale to be held online www.StorageTreasures.com. Facility is located at 911 E. Broad St. Suite 114, Mansfield Texas 76063. Bidding will open at 9am 08/24/26 and conclude on 08/28/26 at 5:00pm. Clean up deposit of \$100 Cash is required. Seller reserves the right to withdraw property at any time before the sale. Units items sold as-is to the highest bidder. All spaces contain household items unless otherwise noted. Property includes the contents of spaces of the following tenant: THOMAS TRUITT

7-27/8-3

Citations

CITATION BY PUBLICATION
SUIT NO. 141-D50551-25
STATE OF TEXAS
COUNTY OF TARRANT
IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS NOTICE IS HEREBY GIVEN AS FOLLOWS:
TO: THE UNKNOWN HEIRS, EXECUTORS, ADMINISTRATORS AND/OR LEGAL REPRESENTATIVES OF THE ESTATE OF KIMSEY THOMPSON (IN REM ONLY); THE UNKNOWN HEIRS, EXECUTORS, ADMINISTRATORS, AND/OR LEGAL REPRESENTATIVES OF THE ESTATE OF GEORGE BURKE LUTMAN (IN REM ONLY) and the unknown owner or unknown owners, and any and all other persons, including adverse claimants, owning or having or claiming any legal or equitable interest in or lien upon the real-property hereinafter described; the

heirs and legal representatives and unknown heirs and legal representatives of each of the above named and mentioned persons who may be deceased; and the corporate officers, trustees, receivers and stockholders of any of the above named and mentioned parties which may be corporations, foreign or domestic, defunct or otherwise, together with the successors, heirs and assigns of such corporate officers, trustees, receivers or stockholders, own or have or claim an interest in the hereinafter described real property on which taxes are due, owing, unpaid and delinquent to said Plaintiffs, said year and amount set out in Plaintiffs First Amended Petition on file herein:

The property is specifically described as follows:
Property Code: 04904877
TRACT #1: BEING ALL THAT CERTAIN LOT 15, BLOCK 6 OF THE EAGLE MOUNTAIN VIEW ADDITION, LOCATED IN THE CITY OF AZLE, TARRANT COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 11352, PAGE 2201 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS.

Which said property is delinquent to Plaintiff for taxes in the following amounts: \$1,206.34, exclusive of interest, penalties, and costs, and there is included in this suit in addition to the taxes all said interest, penalties, and costs thereon, allowed by law up to and including the day of judgment herein.

You are notified that this suit has been brought by the CITY OF AZLE as Plaintiffs against CAROLYN THOMPSON, KIMSEY THOMPSON, GEORGE BURKE LUTMAN, CURTIS DEAN LUTMAN, as Defendants by First Amended Petition filed on the June 11, 2026 styled CITY OF AZLE vs. ESTATE OF CAROLYN THOMPSON. This suit is for the collection of taxes on said real property, and is now pending in the District Court of TARRANT COUNTY, TEXAS 141ST Judicial District as cause number 141-D50551 25. The names of all taxing units which assess and collect taxes on the property hereinabove described which are not listed above and may be made parties to this suit are: TARRANT COUNTY; TARRANT COUNTY COLLEGE; TARRANT COUNTY HOSPITAL; TARRANT REGIONAL WATER DISTRICT; AZLE INDEPENDENT SCHOOL DISTRICT

Plaintiffs and all other taxing units who may set up their tax claims herein seek recovery of delinquent ad valorem taxes on the property hereinabove described, and in addition to the taxes, all interest, penalties, and costs allowed by law thereon, up to and including the day of judgment herein, and the establishment and foreclosure of liens, if any, securing the payment of same, as provided by law.

All parties to this suit, including Plaintiffs, Defendants and Intervenor, shall take notice that claims not only for any taxes which were delinquent on said property at the time this suit was filed but all taxes becoming delinquent there on up to the day of judgment, including all interest, penalties, and costs allowed by law thereon, may, upon request therefore, be recovered herein without further citation or notice to any parties herein, and all said parties shall take notice of and plead and answer to all claims and pleadings now on file and which may hereafter be filed in said cause by all other parties herein, and all of those taxing units above named who may intervene herein and set up their respective tax claims against said property.

YOU ARE HEREBY COMMANDED TO APPEAR AND DEFEND SUCH SUIT AT OR BEFORE 10 O'CLOCK AM ON THE FIRST MONDAY AFTER THE EXPIRATION OF FORTY-TWO (42) DAYS FROM AND

AFTER THE DATE OF ISSUANCE HEREOF, THE SAME BEING THE August 08, 2026 (WHICH IS THE RETURN DAY OF SUCH CITATION), BEFORE THE HONORABLE 141ST DISTRICT COURT OF TARRANT COUNTY, TEXAS to be held at the Courthouse thereof, then and there to show cause why judgment shall not be rendered for such taxes, penalties, interest and costs and condemning said property and ordering foreclosure of the constitutional and statutory tax liens thereon for taxes due the Plaintiffs and the taxing units parties hereto., and those who may intervene herein, together with all interest, penalties, and costs allowed by law up to and including the day of judgment herein, and all costs of this suit.

HEREIN FAIL NOT, but of this writ make answer as the law requires.

Issued but not prepared by District Clerk's Office and given under my hand & seal of office of said court of FORT WORTH, TARRANT COUNTY, TEXAS on this the 16 day of June, 2026.

Thomas A. Wilder
District Clerk
Tom Vandergriff Civil Courts BLDG.
100 North Calhoun
Fort Worth, TX 76196
/s/ Jamie Long, Deputy
ACCT#: 37949
File#: 250260
CLERK: FILE WITH FIRST AMENDED PETITION:

8-3-10

THE STATE OF TEXAS DISTRICT COURT, TARRANT COUNTY CITATION BY PUBLICATION

Cause No. 360-786435-26
IN THE MATTER OF THE MARRIAGE OF: MONICA ISELA RODRIGUEZ VS. ALFREDO TAPIA OLIVARES
TO: ALFREDO TAPIA OLIVARES RESPONDENT And to all whom it may concern GREETINGS

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk was issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were, served this citation and ORIGINAL PETITION FOR DIVORCE, a default judgment may be taken against you. The Petition of MONICA ISELA RODRIGUEZ as Petitioner Was Filed in the 360th Court of Tarrant County, Texas; on 20th day of July, 2026 Against ALFREDO TAPIA OLIVARES numbered 360-786435-26, and entitled in the Matter of the Marriage of: MONICA ISELA RODRIGUEZ and ALFREDO TAPIA OLIVARES the suit requests DISSOLVE THE BONDS OF MATRIMONY AND DECREE SUCH OTHER RELIEF REQUESTED IN THIS PETITION

The court has authority in this suit to enter any judgment or decree dissolving the marriage and providing for the division of property which will be binding on you

THE STATE OF TEXAS

To the Sheriff, Constable or Clerk of the Court of any County of the State of Texas, Greeting: You are hereby commanded to serve the foregoing Citation by making publication thereof in some newspaper, of legal circulation, published in the County of Tarrant, once a week for two consecutive weeks before the hearing, the first publication to be at least 20 days before the return day of the Citation.

Herein Fail not, but on the return hereinabove named have you then and there before said Court, this Writ, with your return thereon, showing how you have executed the same.

Issued and given under my hand and seal of said Court at Tarrant County, Texas, this the 27th day of July, 2026.

THOMAS A. WILDER
Clerk of District Courts of Tarrant County, Texas
By /s/ Karel Jackson

Karel Jackson, Deputy NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

8-3-10

THE STATE OF TEXAS DISTRICT COURT, TARRANT COUNTY CITATION BY PUBLICATION

Cause No. 322-785838-26
IN THE MATTER OF THE MARRIAGE OF: JASMINE TIYA JOHNSON VS. T'JON MANWELL JOHNSON

TO: T'JON MANWELL JOHNSON RESPONDENT And to all whom it may concern GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were served this citation and ORIGINAL PETITION FOR DIVORCE, a default judgment may be taken against you. The Petition of JASMINE TIYA JOHNSON as Petitioner Was Filed in the 322nd Court of Tarrant County, Texas; on 8th day of July, 2026 Against T'JON MANWELL JOHNSON numbered 322-785838-26, and entitled in the Matter of the Marriage of: JASMINE TIYA JOHNSON and T'JON MANWELL JOHNSON

The suit requests DISSOLVE THE BONDS OF MATRIMONY AND DECREE SUCH OTHER RELIEF REQUESTED IN THIS PETITION

The Court has authority in this suit to enter any judgment or decree dissolving the marriage and providing for the division of property which will be binding on you

THE STATE OF TEXAS

To the Sheriff, Constable or Clerk of the Court of any County of the State of Texas, Greeting: You are hereby commanded to serve the foregoing Citation by making publication thereof in some newspaper, of legal circulation, published in the County of Tarrant, once a week for two consecutive weeks before the hearing, the first publication to be at least 20 days before the return day of the Citation.

Herein Fail not, but on the return hereinabove named have you then and there before said Court, this Writ, with your return thereon, showing how you have executed the same.

Issued and given under my hand and seal of said Court at Tarrant County, Texas, this the 27th day of July, 2026.

THOMAS A. WILDER
Clerk of District Courts of Tarrant County, Texas
By /s/ Karel Jackson
Karel Jackson, Deputy NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

8-3-10

PUBLIC NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

PUBLIC NOTICE

Continued from page 2

**THE STATE OF TEXAS
DISTRICT COURT,
TARRANT COUNTY
CITATION BY
PUBLICATION**

Cause No. 231-728720-23
INRE JULIAN BRAE DON-
NELSON ET AL
TO: CHRISTOPHER JOHN-
SON And to all whom it may
concern GREETINGS:

You have been sued. You
may employ an attorney. If
you or your attorney do not
file a written answer with
the clerk who issued this ci-
tation by 10:00 a.m. on the
Monday next following the
expiration of 20 days after
you were served this Citation
and ORIGINAL PETITION TO
MODIFY PRIOR ORDER IN
SUIT AFFECTING THE P/C
REL AS TO NIVEA L JOHNSON
& ALEXANDER L TRIGG ONLY
a default judgment may be
taken against you. The Peti-
tion of DEPARTMENT OF
FAMILY AND PROTECTIVE
SERVICES as Petitioner Was
filed in 231st Court of Tarrant
County, Texas; on 11th day of
May, 2026 Against CIIUSTO-
PHER JOHNSON numbered
231-728720-23, and entitled:
INRE JULIAN BRAE DONNEL-
SON ET AL, the suit requests
MODIFICATION OF THE PAR-
ENT-CHILD RELATIONSHIP.
Said child was born on THE
7TH DAY OF AUGUST, 2018
-NIVEA LEAH JOHNSON, THE
15TH DAY OF AUGUST, 2022
-ALEXANDER LEON TRIGG

The court has authority in
this suit to enter any judg-
ment or decree in the child's
interest which will be binding
upon you, including the ter-
mination of the parent-child
relationship, the determina-
tion of paternity and the ap-
pointment of a conservator
with authority to consent to
the child's adoption.

THE STATE OF TEXAS

To the Sheriff, Constable
or Clerk of the Court of any
County of the State of Texas,
Greeting: You are hereby com-
manded to serve the foregoing
Citation by making publica-
tion thereof in some news-
paper, of legal circulation,
published in the County of
Tarrant, once a week for four
consecutive weeks before the
hearing, the first publication
to be at least 20 days before
the return day of the Citation.

Herein Fail not, but on the
return hereinabove named
have you then and there be-
fore said Court, this Writ, with
your return thereon, showing
how you have executed the
same.

Issued and given under my
hand and seal of said Court at
Tarrant County, Texas, this the
22nd day of July, 2026.

THOMAS A. WILDER
Clerk of District Courts of
Tarrant County, Texas
By /s/ Karel Jackson
Karel Jackson, Deputy
NOTICE: You have been
sued. You may employ an at-
torney. If you or your attorney
do not file a written answer
with the clerk who issued
this citation by 10:00 AM. on
the Monday next following
the expiration of twenty days
after you were served this
citation and petition, a de-
fault judgment may be taken
against you. In addition to
filing a written answer with
the clerk, you may be required
to make initial disclosures to
the other parties of this suit.
These disclosures generally
must be made no later than
30 days after you file your an-
swer with the clerk. Find out
more at TexasLawHelp.org.

8-3-10-17-24

**THE STATE OF TEXAS
DISTRICT COURT,
TARRANT COUNTY
CITATION BY
PUBLICATION**

Cause No. 322-744054-23
INRE MALEAH ELIZA MU-
HAMMAD ET AL
TO: CIARA DAVENPORT And
to all whom it may concern
GREETINGS:

You have been sued. You
may employ an attorney. If
you or your attorney do not
file a written answer with the
clerk who issued this citation
by 10:00 a.m. on the Monday
next following the expiration

of 20 days after you were
served this citation and ORIG-
INAL PETITION TO MODIFY
PRIOR ORDER IN SUIT AF-
FECTING THE PARENT-CHILD
RELATIONSHIP a default judg-
ment may be taken against
you. The Petition of DE-
PARTMENT OF FAMILY AND
PROTECTIVE SERVICES as
Petitioner was filed in 322nd
Court of Tarrant County, Tex-
as; on 14th day of May, 2026
Against CIARA DAVENPORT
numbered 322-744054-23,
and entitled: INRE MALEAH
ELIZA MUHAMMAD ET AL,
the suit requests MODIFICA-
TION OF THE PARENT-CHILD
RELATIONSHIP. Said child was
born on THE 23RD DAY OF
SEPTEMBER, 2019 -MALE-
AH ELIZA MUHAMMAD, THE
22ND DAY OF JANUARY, 2022
-AZALIA GRACE MUHAMMAD
The court has authority in
this suit to enter any judg-
ment or decree in the child's
interest which will be binding
upon you, including the ter-
mination of the parent-child
relationship, the determina-
tion of paternity and the ap-
pointment of a conservator
with authority to consent to
the child's adoption.

THE STATE OF TEXAS

To the Sheriff, Constable
or Clerk of the Court of any
County of the State of Texas,
Greeting: You are hereby com-
manded to serve the foregoing
Citation by making publica-
tion thereof in some news-
paper, of legal circulation,
published in the County of
Tarrant, once a week for four
consecutive weeks before the
hearing, the first publication
to be at least 20 days before
the return day of the Citation.

Herein fail not, but on the re-
turn hereinabove named have
you then and there before said
Court, this Writ, with your
return thereon, showing how
you have executed the same.

Issued and given under my
hand and seal of said Court at
Tarrant County, Texas, this the
21st day of July, 2026.

THOMAS A. WILDER
Clerk of District Courts of
Tarrant County, Texas
By /s/ Karel Jackson
Karel Jackson, Deputy
NOTICE: You have been
sued. You may employ an at-
torney. If you or your attorney
do not file a written answer
with the clerk who issued
this citation by 10:00 AM. on
the Monday next following
the expiration of twenty days
after you were served this
citation and petition, a de-
fault judgment may be taken
against you. In addition to
filing a written answer with
the clerk, you may be required
to make initial disclosures to
the other parties of this suit.
These disclosures generally
must be made no later than
30 days after you file your an-
swer with the clerk. Find out
more at TexasLawHelp.org.

8-3-10-17-24

**THE STATE OF TEXAS
DISTRICT COURT,
TARRANT COUNTY
CITATION BY
PUBLICATION**

Cause No. 233-785600-26
INRE: A CHILD
TO: CANDIS CINNINGHAM
And to all whom it may con-
cern GREETINGS:

You have been sued. You
may employ an attorney. If
you or your attorney do not
file a written answer with
the clerk who issued this ci-
tation by 10:00 a.m. on the
Monday next following the
expiration of 20 days after
you were served this citation
and ORIGINAL PETITION TO
TERMINATE PARENT-CHILD
RELATIONSHIP AND FOR
ADOPTION OF A CHILD a de-
fault judgment may be taken
against you. The Petition of
TERREKA MALLANET GUTI-
ERREZ as Petitioner Was filed
in 233rd Court of Tarrant
County, Texas; on 30th day
of June, 2026 Against CAN-
DIS CINNINGHAM numbered
233-785600-26, and entitled:
INRE: A CHILD, the suit re-
quests TO TERMINATE PAR-
ENT-CHILD RELATIONSHIP
AND ADOPTION OF A CHILD.

Said child was born on THE
11TH DAY OF AUGUST, 2022
-A CHILD
The court has authority in
this suit to enter any judg-
ment or decree in the child's
interest which will be binding
upon you, including the ter-
mination of the parent-child
relationship, the determina-
tion of paternity and the ap-
pointment of a conservator
with authority to consent to
the child's adoption.

THE STATE OF TEXAS

To the Sheriff, Constable
or Clerk of the Court of any
County of the State of Texas,
Greeting: You are hereby com-
manded to serve the foregoing
Citation by making publica-
tion thereof in some news-
paper, of legal circulation,
published in the County of
Tarrant, once a week for four
consecutive weeks before the
hearing, the first publication
to be at least 20 days before
the return day of the Citation.
Herein Fail not, but on the
return hereinabove named
have you then and there be-
fore said Court, this Writ, with
your return thereon, showing
how you have executed the
same.

Issued and given under my
hand and seal of said Court at
Tarrant County, Texas, this the
21st day of July, 2026.

THOMAS A. WILDER
Clerk of District Courts of
Tarrant County, Texas
By /s/ Rodrigo Munoz
Rodrigo Munoz, Deputy
NOTICE: You have been
sued. You may employ an at-
torney. If you or your attorney
do not file a written answer
with the clerk who issued
this citation by 10:00 AM. on
the Monday next following
the expiration of twenty days
after you were served this
citation and petition, a de-
fault judgment may be taken
against you. In addition to
filing a written answer with
the clerk, you may be required
to make initial disclosures to
the other parties of this suit.
These disclosures generally
must be made no later than
30 days after you file your an-
swer with the clerk. Find out
more at TexasLawHelp.org.

8-3-10-17-24

Liquor Permits

**Application has
been made with
the Texas Alcoholic
Beverage Com-
mission for a Wine
Only Package Store
Permit (Q) by Kins-
am LLC (dba) Star
Field Beer And
Wine, to be located
at 2301 N Collins St,
Ste 190, Arlington,
Tarrant County, TX
76011. Officer(s)
of the said enti-
ty: Kamran Siraj -
Manager.**

8-3-4

**Application has
been made with
the Texas Alcoholic
Beverage Commis-
sion for a Package
Store Permit (P) by
Kamshel786 LLC
(dba) SIP City Li-
quor, to be located
at 2301 N Collins St,
Ste 120, Arlington,
Tarrant County, TX
76011. Officer(s)
of the said entity:
Sheliza Kamran -
Managing Member.**

8-3-4

**Miscellaneous
Notices**

PUBLIC NOTICE

At the request of the Ar-
lington Police Department,
620 W. Division St., Arling-
ton, Texas 76011 817-459-
5500, on July 2, 2026 Beard's
Towing impounded a 2003
Cadillac CTS, white in color;
VIN#1G6DM57N430149314,
picked up at 1121 Sturgeon
Ct, Arlington Texas 76001.
The vehicle may be reclaimed
at 1208 E Kennedale Pkwy,
Kennedale, TX 76060, 817-
478-2001, VSF#0661920VSF,
24 hours a day/7 days a week

with one hour notice. The
charges as of August 3, 2026
are as follows: \$275.30 tow,
\$22.85 storage per day plus
tax, and \$164.00 notification.
Failure of the owner and/or
lienholder to reclaim the unit
by September 2, 2026 will
result in the loss of all right,
title, and interest in the unit
and the consent to the sale of
the unit at a public auction.
WWW.TDLR.TEXAS.GOV

8-3

PUBLIC NOTICE

At the request of the Forest
Hill Police Department, 3336
Horton Rd, Forest Hill, Texas
76119 817-531-5250, on July
24, 2026, Beard's Towing im-
pounded a 2026 Cadillac XT5,
white in color, VIN#1GYK-
NAR44TZ104183, picked up
at 4400 Mansfield Hwy, Forest
Hill, Texas 76119. The vehicle
may be reclaimed at 1208 E
Kennedale Pkwy, Kennedale,
TX 76060, 817-478-2001,
VSF#0661920VSF, 24 hours
a day/7 days a week with one
hour notice. The charges as of
August 3, 2026 are as follows:
\$403.05 tow, \$22.85 storage
per day plus tax, \$22.85 im-
pound plus tax, and \$107.00
notification. Failure of the
owner and/or lienholder to
reclaim the unit by September
16, 2026 will result in the loss
of all right, title, and interest
in the unit and the consent
to the sale of the unit at a
public auction. WWW.TDLR.
TEXAS.GOV

8-3

PUBLIC NOTICE

At the request of the Ar-
lington Police Department,
620 W. Division St., Arling-
ton, Texas 76011 817-459-
5500, on July 23, 2026 Beard's
Towing impounded a 2007
Wabash Trailer, white in color;
VIN#1JJV532W07L004348,
picked up at 1049 111th St,
Arlington Texas 76011. The
vehicle may be reclaimed
at 1208 E Kennedale Pkwy,
Kennedale, TX 76060, 817-
478-2001, VSF#0661920VSF,
24 hours a day/7 days a week
with one hour notice. The
charges as of August 3, 2026
are as follows: \$1227.50 tow,
\$39.99 storage per day plus
tax, and \$107.00 notification.
Failure of the owner and/or
lienholder to reclaim the unit
by September 16, 2026 will
result in the loss of all right,
title, and interest in the unit
and the consent to the sale of
the unit at a public auction.
WWW.TDLR.TEXAS.GOV

8-3

PUBLIC NOTICE

At the request of the Arling-
ton Police Department, 620
W. Division St., Arlington,
Texas 76011 817-459-5500,
on July 27, 2026 Beard's Tow-
ing impounded a 2026 Kia
K4, gray in color; VIN#3KP-
FT4DE4TE362214, picked
up at Watson Rd & Debbie
Ln, Arlington Texas 76002.
The vehicle may be reclaimed
at 1208 E Kennedale Pkwy,
Kennedale, TX 76060, 817-
478-2001, VSF#0661920VSF,
24 hours a day/7 days a week
with one hour notice. The
charges as of August 3, 2026
are as follows: \$348.90 tow,
\$22.85 storage per day plus
tax, \$22.85 impound plus
tax, and \$107.00 notification.
Failure of the owner and/or
lienholder to reclaim the unit
by September 16, 2026 will
result in the loss of all right,
title, and interest in the unit
and the consent to the sale of
the unit at a public auction.
WWW.TDLR.TEXAS.GOV

8-3

City of Lake Worth

**CITY OF LAKE WORTH
PROPOSED BUDGET
FY 2026-2027**

**NOTICE OF
PUBLIC HEARING**

The City of Lake Worth City
Council will hold a Public
Hearing at the City Council
meeting on Tuesday, August

18, 2026, at 6:30 p.m. in the
City Council Chambers located
at 3805 Adam Grubb, Lake
Worth, Texas 76135 regard-
ing the Proposed Budget for
Fiscal Year 2026-2027. This
budget will raise more total
property taxes than last year's
budget by \$59,781 or 1.48%,
and of that amount, \$10,399
is tax revenue to be raised
from new property added to
the tax roll this year. All in-
terested citizens in the City of
Lake Worth are encouraged to
attend and participate in the
hearing. The proposed budget
is available for inspection in
the office of the City Secre-
tary at City Hall between the
hours of 8:00 a.m. to 5:00 p.m.
Monday through Friday and
on the City's website at www.
lakeworthtx.org.

8-3

City of Watauga

**NOTICE OF
PUBLIC HEARINGS**

Notice is hereby given that
there will be public hearings
before the City of Watauga
Planning and Zoning Commis-
sion at its regularly scheduled
meeting on August 19, 2026
beginning at 6:30 p.m. in the
City Council Chambers at
7105 Whitley Road, Watauga,
TX and before the City Coun-
cil at its regularly scheduled
meeting on September 14,
2026 beginning at 6:30 p.m. in
the City Council Chambers at
7105 Whitley Road, Watauga,
TX to receive comments for or
against the following items:

ORD.2026-017 : Consider
action on text amendments to
the Code of Ordinances Chap-
ter 115 - Zoning Article II for
the purpose of amending ad-
ministrative regulations, no-
tice requirements, protests,
and processes relating to
zoning code amendments and
zoning classification/district
boundary changes as required
by Texas Local Government
Code Chapter 211.

Z.26-02 : Consider a re-
quest for a zoning change
from Single-family (SF6) to
Planned Development (PD)
for single-family homes at
the property commonly
known as 5900-5901 Ridge-
crest Drive, being described
as Lot 10 Block 5, and Lot
1 Block 6 of the Ridgecrest
Addition-Watauga; and con-
sider action on a preliminary
report to allow for six (6) sin-
gle-family homes. The subject
property is located south of
Hightower Drive, east of Whit-
ley Road, west of Quail Run
Drive and north of Chapman
Road. Owner, Pat Land LLC.
Applicant/Authorized agent,
David Lewis.

RP.26-01 : Consider request
for a replat for Lot 10 Block 5,
and Lot 1 Block 6 of the Ridge-
crest Addition; and consider
action on this replat to subdivi-
de 1.455 acres to allow for
six (6) single-family homes.
The property is known as
5900-5901 Ridgecrest Drive,
being south of Hightower
Drive, east of Whitley Road,
west of Quail Run Drive and
north of Chapman Road. Own-
er/applicant: Pat Land LLC,
Keith Hamilton.

8-3

Town of Pantego

**NOTICE OF PUBLIC HEAR-
ING AND OF FISCAL YEAR
2027 PROJECTS OF THE
PANTEGO ECONOMIC
DEVELOPMENT CORPO-
RATION**

The Pantego Economic De-
velopment Corporation (the
"PEDC" or the "Corporation"),
a Type B Economic Develop-
ment Sales Tax Corporation,
hereby gives notice, pursuant
to Local Government Code,
Secs. 505.159 and 505.160,
that the Board of Directors
will hold a public hearing be-
fore considering designation
of the following as "Projects"
for Fiscal Year 2026-2027
(October 1, 2026, through
September 30, 2027), each
having been determined by
the Board to be necessary or

suitable for the generation
of positive economic impacts
and/or new or expanded busi-
ness enterprises:

(1) An estimated \$75,000
to fund "Commercial Revital-
ization" including the Store-
fronts in Pantego (SIP) grant
program and other similar
incentive programs.

(2) An estimated \$380,000
to fund "Park Row Corridor
Improvements and Promo-
tion" including crosswalks,
gateway signage, lighting,
landscaping, benches, streets-
cape and pedestrian improve-
ments, and other upgrades.

(3) An estimated \$50,000 to
fund "Pioneer Parkway (Spur
303) Corridor Improvements
and Promotion" including
crosswalks, gateway signage,
lighting, landscaping, bench-
es, streetscape and pedestri-
an improvements, and other
upgrades.

(4) An estimated \$100,200
to fund Debt Service of the
2023 Series Sales Tax Re-
venue Bond issuance related to
Bicentennial Park improve-
ments.

(5) An estimated \$826,505
to fund Maintenance, Operat-
ing, and Capital Costs includ-
ing contractual agreements,
legal services, auditing ser-
vices, marketing/advertising,
supplies, facility maintenance,
training/travel, dues, and re-
imbursement to the Town
of Pantego for staffing and
services supporting PEDC
operations.

The PEDC Board of Direc-
tors will conduct this **PUB-
LIC HEARING** in the Council
Chambers of Pantego Town
Hall (1614 S Bowen Road in
Pantego, Texas) at **6:00 P.M.
ON WEDNESDAY, AUGUST
12, 2026** to solicit public in-
put regarding these proposed
"Projects" as described above.
Interested citizens are en-
couraged to attend and offer
comments to the Board. **If
you have questions, please
contact Town of Pantego
City Manager and PEDC Ex-
ecutive Director Leslie E.
Galloway at 817-617-3700
or citymanager@townof-
pantego.com.**

IN ACCORDANCE WITH LO-
CAL GOV'T CODE CHAPTER
551, I, THE UNDERSIGNED
AUTHORITY, DO HEREBY
CERTIFY THAT THIS NOTICE
WAS CONTINUOUSLY POSTED
FOR THREE BUSINESS DAYS
BEFORE SAID MEETING CON-
VENED, ON A PUBLIC NOTICE
BOARD OUTSIDE OF COUNCIL
CHAMBERS AT TOWN HALL
(1614 S BOWEN ROAD IN
PANTEGO, TEXAS), A PLACE
CONVENIENT AND READILY
ACCESSIBLE TO THE GENER-
AL PUBLIC AT ALL TIMES. IT
ALSO APPEARED IN PRINT IN
THE COMMERCIAL RECORDER
ON THE FOLLOWING
DATE(S):

Seal
/s/ Brenna White
CITY SECRETARY BRENN
WHITE

8-3

**Miscellaneous
Notices**

**Birdville Independent
School District
Public Notification
of Nondiscrimination Car-
eer and Technical
Education Programs**

Birdville Independent School
District offers support to
school district for career and
technical education programs
in Agricultural Food and Nat-
ural Resources / Architecture
and Construction / Transpor-
tation. Distribution and Logis-
tics / Arts Audio Visual Tech-
nology and Communications
/ Hospitality and Tourism /
Business Management and
Administration / Finance /
Marketing / Information
Technology / Education and
Training / Human Services /
Law Public Safety, Corrections
and Security / Government
and Public Administration
/ Health Science / Science,
Technology, Engineering and
Mathematics. Admission to
these programs is based on

enrollment in BISD secondary
schools.

It is the policy of BISD not to
discriminate on the basis of
race, color, national origin,
sex or handicap in its CTE
programs, services or activi-
ties as required by Title VI of
the Civil Rights Act of 1964,
as amended; Title IX or the
Education Amendments of
1972; and Section 504 of the
Rehabilitation Act of 1973, as
amended.

It is the policy of BISD not to
discriminate on the basis of
race, color, national origin,
sex, handicap, or age in its
employment practices as re-
quired by Title VI of the Civil
Rights Act of 1964, as amend-
ed; Title IX of the Education
Amendments of 1972; the Age
Discrimination Act of 1975, as
amended; and Section 504 of
the Rehabilitation Act of 1973,
as amended.

BISD will take steps to assure
that lack of English language
skills will not be a barrier to
admission and participation
in all educational and CTE
programs.

For in formation about your
rights or grievance proced-
ures, contact the Title IX
Coordinator, Skip Basker-
ville, and/or the Section 504
Coordinator, Lyselle Reeves,
at 6125 Belknap Street, Halt
om City, Texas 76117 or 817-
547-5700.

**Distrito Escolar
Independiente de Birdville
Notificación pública sobre
programas de educación
técnica y profesional sin
discriminación**

El Distrito Escolar Indepen-
diente de Birdville ofrece
apoyo al distrito escolar para
programas de educación
técnica y profesional en Al-
imentos Agrícolas y Recur-
sos Naturales/Arquitectura
y Construcción/Transporte.
Distribución y Logística / Ar-
tes Audiovisuales Tecnología
y Comunicaciones / Hotel-
ería y Turismo / Gestión y
Administración de Empresas
/ Finanzas / Marketing / Tec-
nologías de la Información /
Educación y Capacitación /
Servicios Humanos / Derecho
Seguridad Pública, Correccio-
nales y Vigilancia / Gobierno
y Administración Pública /
Ciencias de la Salud / Cien-
cia, Tecnología, Ingeniería y
Matemáticas. La admisión a
estos programas se basa en
la inscripción en las escuelas
secundarias de BISD.

Es política de BISD no dis-
criminar por motivos de
raza, color, origen nacional,
sexo o discapacidad en sus
programas, servicios o activi-
dades de CTE según lo exige
el Título VI de la Ley de Dere-
chos Civiles de 1964, según
enmendada: Título IX o las En-
miendas Educativas de 1972;
y la Sección 504 de la Ley de
Rehabilitación de 1973, según
enmendada.

Es política de BISD no dis-
criminar por motivos de
raza, color, origen nacional,
sexo, discapacidad o edad
en sus prácticas laborales
según lo exige el Título VI
de la Ley de Derechos Civiles
de 1964, según enmendada;
Título IX de las Enmiendas
Educativas de 1972; la Ley
de Discriminación por Edad
de 1975, según enmendada;
y la Sección 504 de la Ley de
Rehabilitación de 1973, según
enmendada.

BISD tomará medidas para
garantizar que la falta de do-
minio del idioma inglés no sea
una barrera para la admisión
y participación en todos los
programas educativos y CTE.
Para obtener información
sobre sus derechos o pro-
cedimientos de quejas, co-
muníquese con el Coordi-
nador del Título IX, Skip
Baskerville, y/o la Coordina-
dora de la Sección 504, Ly-
selle Reeves, en 6125 Belk-
nap Street, Halt om City, Texas
76117 o al 817-547-5700.

7-31/8-3-4-5-6



AGENDA MEMORANDUM

DATE: August 21, 2026

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **ORD.2026-017:** Consider action on a recommendation and report for text amendments to Section 115-35 of the Code of Ordinances to amend regulations, notice requirements, protests, and processes relating to zoning code amendments and zoning classification/district boundary changes as required by Texas Local Government Code Chapter 211.

BACKGROUND/INFORMATION:

Section 115-35 of the City of Watauga Code of Ordinances was adopted in 2001 and has not been amended in more than 15 years.

City administration expressed to staff concern that amendments have not been made in several years to the city's Code of Ordinances.

Over the years, the legislature has made a number of significant changes that render many of the ordinance's provisions either obsolete, incomplete, or invalid. The administration has made, and is proposing, a number of changes to update the section to conform to the law. The City Attorney has reviewed and is recommending consideration of the revisions made.

Following several discussions between administration and staff, text amendments have been proposed for adoption of general regulations in Chapter 115 – Zoning Article II to be consistent with the State Zoning laws. The proposed amendment aligns with the City Charter and Chapter 211 of the Texas Local Government Code.

This code amendment was presented to and discussed by the Planning and Zoning Commission on August 19, 2026, for recommendation to the city council for consideration. The commission made a motion to table the item for legal clarification regarding the supermajority vote currently required on negative recommendations by the commission being repealed from the proposed amended language to the code of ordinances.

As these changes will amend the comprehensive zoning ordinance, a public hearing was held and the appropriate notices must be published and posted. A redlined version of the



AGENDA MEMORANDUM

proposed changes as well as a clean version that incorporates all revisions is attached for review.

FINANCIAL IMPLICATIONS:

NA

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommend the Commission consider comments received during the public hearing on the proposed text amendments, recommending support of the preliminary report and submit a final report to accept the proposed amendment to Ordinance No. 2026-017 during the October 12, 2026 regular meeting of the City Council.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Preliminary Report - Text Amendment - Code of Ordinances - Sec. 115-35
2. Zoning Sec 115.35 (redline 8.11.26)
3. Zoning Sec 115.35 (clean 7.30.26)
4. Local Government Code Chapter 211
5. Watauga Zoning Ordinance 115.35 Zoning regulation (rev 8.11.26)

REVIEWED BY:

Randy Richards, CFM, Assistant Director of Public Works	Approved - 9/9/2026
Paul Hackleman, Director of Public Works	Approved - 9/9/2026
David Berman, City Attorney	Approved - 9/10/2026
Sandra Gibson, City Manager	Approved - 9/10/2026
Linda Proskey, City Secretary	Final Approval - 9/10/2026
<i>Approved as to form for inclusion on Agenda</i>	

PRELIMINARY REPORT

DATE: September 3, 2026

TO: Planning and Zoning Commission Members

FROM: Jeannette Garcia, Planner I

SUBJECT: **ORD. 2026-017:** Following public hearing, consider action on text amendments to the Code of Ordinances Chapter 115 – Zoning Article II for the purpose of amending administrative regulations, notice requirements, protests, and processes relating to zoning code amendments and zoning classification/district boundary changes as required by Texas Local Government Code Chapter 211.

BACKGROUND/INFORMATION:

Following several discussions between administration and staff, text amendments have been proposed for adoption of general regulations in Chapter 115 – Zoning to be consistent with the State Zoning laws.

CURRENT ACTIVITY:

The public hearing notice was published in the Commercial Recorder on Monday, August 3, 2026, to receive comments for or against the text amendments proposed in the Code of Ordinances Chapter 115.- Zoning.

Staff considered the following criteria for the amendment:

1. City administration expressed to staff the concern that amendments have not been made in several years to the city's Code of Ordinances. Over the years, the Texas legislature has made several significant changes that make many of the city's ordinances either obsolete, incomplete, or invalid.

The proposed amendment aligns with the City Charter and Chapter 211 of Texas Local Government Code.

RECOMMENDATION/ACTION DESIRED:

Public hearing was held and the code amendment was presented to and discussed by the Planning and Zoning Commission on August 19, 2026, for recommendation to the city council for consideration. The commission made a motion to table the item for legal clarification regarding the supermajority vote currently required on negative recommendations by the commission being repealed from the proposed amended language to the code of ordinances.

City staff respectfully recommend the Commission consider comments received during the public hearing on the proposed text amendments, recommend support of the

PRELIMINARY REPORT

preliminary report and submit a final report to accept the proposed amendment to Ordinance No. 2026-017 during the October 12, 2026 regular meeting of the City Council.

ATTACHMENTS/ SUPPORTING DOCUMENTATION AVAILABLE IN CIVIC CLERK:

City of Watauga Code of Ordinances, Chapter 115.- Zoning, Article II Sec. 115-35

Sec. 115-35. - Administrative.

(a) *Certificate of occupancy.* In order to ensure that all new construction and the use of all existing and new structures and the use of land shall comply with the terms of this chapter, a certificate of occupancy shall be required in accordance with the following rules:

- (1) *Application for certificate of occupancy.* An application for a certificate of occupancy shall be filed in the office of the zoning official on forms provided by the city. Upon approval, a certificate of occupancy shall be issued stating that the building or proposed use of a building or premises complies with all the building and health laws, and with the provisions of the zoning ordinance. A permanent record of all such certificates shall be kept on file in the office of the zoning official, and copies shall be furnished on request to any person having proprietary or tenancy interest in the building affected.
- (2) *Certificate to establish new use of property.* No vacant land shall be occupied or used, except for agricultural purposes, and no building hereafter erected, reconstructed, altered, or enlarged shall be occupied or used until a certificate of occupancy shall have been issued by the zoning official stating that the building or proposed use of the building or premises complies with the building and health laws and with the provisions of the zoning ordinance.
- (3) *Certificate and building permit.* A certificate of occupancy shall be applied for coincident with the application for a building permit. Such permit shall be issued within ten days after the erection or structural alteration of the building has been completed in conformity with the provisions hereof.

(b) *Building permits.* Every application for a building permit shall be accompanied by a drawing, in duplicate, showing the lot plan, the location of the building on the lot, accurate dimensions of the building and lot, and such other information as may be necessary to provide for the enforcement of the ordinance. This drawing shall be prepared after the lot has been staked by a competent surveyor. A careful record of the original copy of such application and plats shall be kept in the office of the zoning official and a duplicate copy shall be at the building at all times during construction.

(c) *Changes and amendments.*

~~(1)~~ (1) *Declaration of policy.* The city council declares the enactment of this chapter is for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance governing the use and development of land, buildings, and structures as a measure necessary to the orderly development of the community and to the carrying out of the adopted city plan. Therefore, no change shall be made in these regulations or in the boundaries of the zoning districts except:

- ~~a. To correct a manifest error in the regulations or map;~~
- ~~b. To recognize changed or changing conditions in a particular locality;~~

- ~~e. To recognize changes in technology, the style of living, or manner of doing business; or~~
- ~~d. To comply with land use principles as directed in the comprehensive land use plan.~~

(2) *Authority to amend ordinance.* The city council may, from time to time, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts. Any amendment, supplement or change may be:

- a. Recommended by city staff;
- b. Ordered for consideration by the council;
- c. Initiated by the commission; or
- d. Be requested by petition of affected persons.

(3) *Review.*

- a. ~~*Application*~~*Petition* required. Every ~~petition-application~~ presented to the ~~planning and zoning commission~~ to amend, supplement, or change the regulations of this chapter or the boundaries of the zoning districts shall be prepared in the form and manner prescribed by this chapter, ~~and be deposited with the commission for study.~~ ~~In connection with petitions presented to the planning and zoning commission,~~ ~~Upon the filing of an application,~~ the commission shall promptly schedule a public hearing on the proposed change. ~~as provided in subsection (c)(3)b of this section.~~

- b. *Public hearing and notice before the planning and zoning commission.* Prior to ~~making-submitting~~ its final report to the council, the commission shall hold at least one public hearing thereon. Written notice of all ~~commission~~ public hearings on proposed changes in ~~zoning classification district boundaries~~ shall be sent to all owners of property, ~~as indicated by the most recently approved municipal tax roll,~~ ~~or to the person rendering the same for city taxes,~~ affected by such proposed changes of classification, and to all owners of property, or to the person rendering the same for city taxes located within 200 feet of the property on which the change in classification is proposed. ~~any property affected thereby, within not less than ten days before such hearing is held. Such notice may be served by using the last known address as listed on the city tax roll and depositing the notice, postage paid, in the United States mail. Notice of hearings on proposed changes in zoning regulations shall be accomplished by one publication not less than 15 days prior thereto in the official paper of the city. The notice shall be sent before the 10th day before the commission's public hearing. Should the public hearing be continued or postponed, or should the commission conduct a second or multiple public hearings, additional written notices are not required. The notice may be served by its deposit in the city, properly addressed with postage paid, in the United States mail or by electronic delivery.~~

- 1. ~~If the proposed change in zoning classification affects residential or multifamily zoning, written notice shall be sent to each school district in which the affected property is located.~~
- 2. ~~If a proposed change in zoning classification does not apply to the entire city, then no later than the 10th day before the commission holds its public~~

hearing, the commission shall post a notice sign on the affected property, or on a public right-of-way if the change is initiated by the city and affects multiple properties. The sign must be at least 24" by 48" and shall remain posted until the city council makes a final determination on the proposed change.

~~b.3.~~ The council and commission may jointly conduct a public hearing. The city council may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the joint public hearing. If the proposed change is an amendment, supplement or repeal of a regulation and does not change the zoning classification or district boundary of property, then notice by mail or email is not required.

~~e.4.~~ *Commission report.* The commission, after the public hearing is closed, shall submit ~~prepare~~ its final report on the requested change ~~stating its findings, its evaluation of the request, and of the relationship of the request to the adopted city plan, and its recommendation thereon~~ to the city council. The commission may defer its final report for not more than 90 days ~~until it has had opportunity to consider other proposed changes which may have a direct bearing thereon.~~

~~d.5.~~ *Public hearing and notice by council.*

1. The city council may from time to time amend and supplement these ~~se zoning~~ regulations in this chapter and may amend boundaries of districts affected by these regulations. ~~herein established without review by the planning and zoning commission.~~

~~2.~~ ~~The city council may also amend boundaries of districts affected by these regulations.~~

~~3.2.~~ A regulation or change in district boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the city and on the city's website.

~~4.3.~~ ~~If the city council conducts a hearing under subsection (c)(3)d.1 or (c)(3)d.2 of this section, t~~The city council may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing. Notice requirements prescribed under this subsection are in addition to the publication of notice required by subsection (c)(3)d.3 of this section.

~~5.4.~~ As authorized by applicable state law, the city council may hold public hearings jointly with the planning and zoning commission. The city council may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the joint public hearing. ~~Notice of the time and place of such joint~~

public hearings shall be given in the same manner as otherwise provided in this section.

~~e. *Negative recommendations; protest petition.* A proposed amendment, supplement, or change shall not become effective except by favorable vote of three-fourths of all the members of the city council if:~~

~~1. A recommendation was made by the planning and zoning commission that the proposed amendment, supplement or change be denied; or~~

~~2. The proposed amendment, supplement, or change is protested in accordance with this subsection (c)(3)e.1 and (c)(3)e.2. The protest must have been filed with the city clerk and duly signed and acknowledged by the owners of 20 percent of either:~~

~~(i) The area of the lots or land covered by the proposed change; or~~

~~(ii) The area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.~~

~~(4) *Computing land area percentage.* In computing the percentage of land area under subsection (c)(3)e.1 of this section, the area of streets and alleys shall be included.~~

e. *Protests.*

1. A proposed change to a zoning regulation or district boundary shall not become effective except by favorable vote of three-fourths of all the members of the city council if a written protest, signed by the owners of at least 20% of (1) the land covered by the proposed change, or (2) the land immediately adjoining the land covered by the proposed change and extending 200 feet from the land, is filed with the city no later than 5:00 p.m., on the day immediately preceding the date of the city council's public hearing.

2. In calculating the percentage of land area under this section:

a. the area of streets and alleys shall be included;

b. the area of land within the city's extraterritorial jurisdiction and beyond the city's limits shall be included; and

c. the land area is not calculated individually for each tract of land subject to a proposed change but in the aggregate for all tracts of land subject to the change.

3. This section shall not apply to a change to a zoning regulation or district boundary if:

a. the proposed change has the effect of allowing more residential development than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses unless the additional use is limited to the first floor of any

- residential development and does not exceed 35 percent of the overall development; or
- b. the proposed change is not a proposed comprehensive zoning change. For the purposes of this subsection, a “proposed comprehensive zoning change” means a proposal to:
- i. change an existing zoning regulation that
1. will have the effect of allowing more residential development than the previous regulation, and will apply uniformly to each parcel in one or more zoning districts;
 2. adopt a new comprehensive zoning code or map that will apply to the entire city; or
 3. adopt a new zoning overlay district or planned development that will have the effect of allowing more residential development than allowed without the overlay or planned development and will include an area along a major roadway, highway, or transit corridor.

~~(f) Expenses and fees.~~

~~(1) Expenses incurred in the enforcement and administration of this chapter are necessary to improve the environmental quality and to help achieve orderly development of the community. In order that such expenses shall be borne primarily by those persons causing administrative action to be taken under the terms of this chapter, the fees as established by the city shall be charged.~~

~~(2)(1) No application or appeal which is subject to the fee schedule shall be deemed filed reviewed or processed until all required fees as set forth in the city's Fee Schedule have been paid in full. The commission shall review the fee schedule periodically and shall recommend to the city council any changes therein which it deems necessary. Changes in the fee schedule shall not become effective until adopted by the city council.~~

~~(g) Enforcement and penalties. Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this chapter shall be fined in accordance with the general penalty provision in section 1-7 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.~~

~~(h) Severability clause. If any section, provision, or part thereof in this chapter shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the chapter as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.~~

~~(i) Publication and effective date. This chapter shall take effect from and after its passage and publication as provided for by law.~~

Sec. 115-35. - Administrative.

(a) *Certificate of occupancy.* In order to ensure that all new construction and the use of all existing and new structures and the use of land shall comply with the terms of this chapter, a certificate of occupancy shall be required in accordance with the following rules:

- (1) *Application for certificate of occupancy.* An application for a certificate of occupancy shall be filed in the office of the zoning official on forms provided by the city. Upon approval, a certificate of occupancy shall be issued stating that the building or proposed use of a building or premises complies with all the building and health laws, and with the provisions of the zoning ordinance. A permanent record of all such certificates shall be kept on file in the office of the zoning official, and copies shall be furnished on request to any person having proprietary or tenancy interest in the building affected.
- (2) *Certificate to establish new use of property.* No vacant land shall be occupied or used, except for agricultural purposes, and no building hereafter erected, reconstructed, altered, or enlarged shall be occupied or used until a certificate of occupancy shall have been issued by the zoning official stating that the building or proposed use of the building or premises complies with the building and health laws and with the provisions of the zoning ordinance.
- (3) *Certificate and building permit.* A certificate of occupancy shall be applied for coincident with the application for a building permit. Such permit shall be issued within ten days after the erection or structural alteration of the building has been completed in conformity with the provisions hereof.

(b) *Building permits.* Every application for a building permit shall be accompanied by a drawing, in duplicate, showing the lot plan, the location of the building on the lot, accurate dimensions of the building and lot, and such other information as may be necessary to provide for the enforcement of the ordinance. This drawing shall be prepared after the lot has been staked by a competent surveyor. A careful record of the original copy of such application and plats shall be kept in the office of the zoning official and a duplicate copy shall be at the building at all times during construction.

(c) *Changes and amendments.*

- (1) *Declaration of policy.* The city council declares the enactment of this chapter is for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.
- (2) *Authority to amend ordinance.* The city council may, from time to time, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts. Any amendment, supplement or change may be:

- a. Recommended by city staff;

- b. Ordered for consideration by the council;
- c. Initiated by the commission; or
- d. Be requested by petition of affected persons.

(3) *Review.*

- a. *Application required.* Every application to amend, supplement, or change the regulations of this chapter or the boundaries of the zoning districts shall be prepared in the form and manner prescribed by this chapter. Upon the filing of an application, the commission shall promptly schedule a public hearing on the proposed change.
- b. *Public hearing and notice before the planning and zoning commission.* Prior to submitting its final report to the council, the commission shall hold at least one public hearing thereon. Written notice of all commission public hearings on proposed changes in zoning classification shall be sent to all owners of property, as indicated by the most recently approved municipal tax roll, within 200 feet of the property on which the change in classification is proposed. The notice shall be sent before the 10th day before the commission's public hearing. Should the public hearing be continued or postponed, or should the commission conduct a second or multiple public hearings, additional written notices are not required. The notice may be served by its deposit in the city, properly addressed with postage paid, in the United States mail or by electronic delivery.
 - 1. If the proposed change in zoning classification affects residential or multifamily zoning, written notice shall be sent to each school district in which the affected property is located.
 - 2. If a proposed change in zoning classification does not apply to the entire city, then no later than the 10th day before the commission holds its public hearing, the commission shall post a notice sign on the affected property, or on a public right-of-way if the change is initiated by the city and affects multiple properties. The sign must be at least 24" by 48" and shall remain posted until the city council makes a final determination on the proposed change.
- c. *Commission report.* The commission, after the public hearing is closed, shall submit its final report on the requested change and its recommendation thereon to the city council. The commission may defer its final report for not more than 90 days.
- d. *Public hearing and notice by council.*
 - 1. The city council may from time to time amend and supplement the regulations in this chapter and may amend boundaries of districts affected by these regulations.

2. A regulation or change in district boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the city and on the city's website.
3. The city council may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing.
4. As authorized by applicable state law, the city council may hold public hearings jointly with the planning and zoning commission. The city council may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the joint public hearing.

e. *Protests.*

1. A proposed change to a zoning regulation or district boundary shall not become effective except by favorable vote of three-fourths of all the members of the city council if a written protest, signed by the owners of at least 20% of (1) the land covered by the proposed change, or (2) the land immediately adjoining the land covered by the proposed change and extending 200 feet from the land, is filed with the city no later than 5:00 p.m., on the day immediately preceding the date of the city council's public hearing.
2. In calculating the percentage of land area under this section:
 - a. the area of streets and alleys shall be included;
 - b. the area of land within the city's extraterritorial jurisdiction and beyond the city's limits shall be included; and
 - c. the land area is not calculated individually for each tract of land subject to a proposed change but in the aggregate for all tracts of land subject to the change.
3. This section shall not apply to a change to a zoning regulation or district boundary if:
 - a. the proposed change has the effect of allowing more residential development than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development; or

- b. the proposed change is not a proposed comprehensive zoning change. For the purposes of this subsection, a “proposed comprehensive zoning change” means a proposal to:
 - i. change an existing zoning regulation that
 - 1. will have the effect of allowing more residential development than the previous regulation, and will apply uniformly to each parcel in one or more zoning districts;
 - 2. adopt a new comprehensive zoning code or map that will apply to the entire city; or
 - 3. adopt a new zoning overlay district or planned development that will have the effect of allowing more residential development than allowed without the overlay or planned development and will include an area along a major roadway, highway, or transit corridor.

(e) *Expenses and fees.* No application shall be deemed filed until all required fees as set forth in the city’s Fee Schedule have been paid in full.

LOCAL GOVERNMENT CODE

TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND
RELATED ACTIVITIES

SUBTITLE A. MUNICIPAL REGULATORY AUTHORITY

CHAPTER 211. MUNICIPAL ZONING AUTHORITY

SUBCHAPTER A. GENERAL ZONING REGULATIONS

Sec. 211.001. PURPOSE. The powers granted under this subchapter are for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Text of section as added by Acts 2025, 89th Leg., R.S., Ch. 778
(S.B. 840), Sec. 1

For text of section as added by Acts 2025, 89th Leg., R.S., Ch. 909
(H.B. 24), Sec. 1, see other Sec. 211.0011.

Sec. 211.0011. ZONING REGULATION OF MIXED-USE RESIDENTIAL AND MULTIFAMILY RESIDENTIAL USE AND DEVELOPMENT. (a) In this section, "mixed-use residential" and "multifamily residential" have the meanings assigned by Section 218.001.

(b) The authority under this chapter related to zoning regulations and the determination of zoning district boundaries in connection with mixed-use residential use and development and multifamily residential use and development is subject to Chapter 218.

Added by Acts 2025, 89th Leg., R.S., Ch. 778 (S.B. 840), Sec. 1, eff. September 1, 2025.

Text of section as added by Acts 2025, 89th Leg., R.S., Ch. 909
(H.B. 24), Sec. 1

For text of section as added by Acts 2025, 89th Leg., R.S., Ch. 778
(S.B. 840), Sec. 1, see other Sec. 211.0011.

Sec. 211.0011. DEFINITION. In this subchapter, "proposed comprehensive zoning change" means a municipal proposal to:

(1) change an existing zoning regulation that:

(A) will have the effect of allowing more residential development than the previous regulation; and

(B) will apply uniformly to each parcel in one or more zoning districts;

(2) adopt a new zoning code or zoning map that will apply to the entire municipality; or

(3) adopt a zoning overlay district that:

(A) will have the effect of allowing more residential development than allowed without the overlay; and

(B) will include an area along a major roadway, highway, or transit corridor.

Added by Acts 2025, 89th Leg., R.S., Ch. 909 (H.B. [24](#)), Sec. 1, eff. September 1, 2025.

Sec. 211.002. ADOPTION OF REGULATION OR BOUNDARY INCLUDES AMENDMENT OR OTHER CHANGE. A reference in this subchapter to the adoption of a zoning regulation or a zoning district boundary includes the amendment, repeal, or other change of a regulation or boundary.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 211.003. ZONING REGULATIONS GENERALLY. (a) The governing body of a municipality may regulate:

(1) the height, number of stories, and size of buildings and other structures;

(2) the percentage of a lot that may be occupied;

(3) the size of yards, courts, and other open spaces;

(4) population density;

(5) the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and

(6) the pumping, extraction, and use of groundwater by persons other than retail public utilities, as defined by Section [13.002](#), Water Code, for the purpose of preventing the use or contact with groundwater that presents an actual or potential threat to human health.

(b) In the case of designated places and areas of historical, cultural, or architectural importance and significance, the governing body of a municipality may regulate the construction, reconstruction, alteration, or razing of buildings and other structures.

(c) The governing body of a home-rule municipality may also regulate the bulk of buildings.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 2003, 78th Leg., ch. 731, Sec. 2, eff. Sept. 1, 2003.

Sec. 211.0035. ZONING REGULATIONS AND DISTRICT BOUNDARIES APPLICABLE TO PAWNSHOPS. (a) In this section, "pawnshop" has the meaning assigned by Section [371.003](#), Finance Code.

(b) For the purposes of zoning regulation and determination of zoning district boundaries, the governing body of a municipality shall designate pawnshops that have been licensed to transact business by the Consumer Credit Commissioner under Chapter [371](#), Finance Code, as a permitted use in one or more zoning classifications.

(c) The governing body of a municipality may not impose a specific use permit requirement or any requirement similar in effect to a specific use permit requirement on a pawnshop that has been licensed to transact business by the Consumer Credit Commissioner under Chapter [371](#), Finance Code.

Added by Acts 1991, 72nd Leg., ch. 687, Sec. 18, eff. Sept. 1, 1991. Amended by Acts 1999, 76th Leg., ch. 62, Sec. 7.81, eff. Sept. 1, 1999.

Sec. 211.004. COMPLIANCE WITH COMPREHENSIVE PLAN. (a) Zoning regulations must be adopted in accordance with a comprehensive plan and must be designed to:

- (1) lessen congestion in the streets;
- (2) secure safety from fire, panic, and other dangers;
- (3) promote health and the general welfare;
- (4) provide adequate light and air;
- (5) prevent the overcrowding of land;
- (6) avoid undue concentration of population; or

(7) facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.

(b) Repealed by Acts 1997, 75th Leg., ch. 459, Sec. 2, eff. Sept. 1, 1997.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 458, Sec. 1, eff. Aug. 28, 1989; Acts 1997, 75th Leg., ch. 459, Sec. 2, eff. Sept. 1, 1997.

Sec. 211.005. DISTRICTS. (a) The governing body of a municipality may divide the municipality into districts of a number, shape, and size the governing body considers best for carrying out this subchapter. Within each district, the governing body may regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land.

(b) Zoning regulations must be uniform for each class or kind of building in a district, but the regulations may vary from district to district. The regulations shall be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 211.006. PROCEDURES GOVERNING ADOPTION OF ZONING REGULATIONS AND DISTRICT BOUNDARIES. (a) The governing body of a municipality wishing to exercise the authority relating to zoning regulations and zoning district boundaries shall establish procedures for adopting and enforcing the regulations and boundaries. A regulation or boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be:

(1) published in an official newspaper or a newspaper of general circulation in the municipality; and

(2) if the municipality maintains an Internet website,

published on the municipality's Internet website.

(a-1) In addition to any notice required by this section or Section 211.007, the governing body of a municipality or a zoning commission, as applicable, shall provide written notice of each public hearing regarding any proposed adoption of or change to a zoning regulation or boundary under which a current conforming use of a property is a nonconforming use if the regulation or boundary is adopted or changed. The notice must:

(1) be mailed by United States mail or delivered electronically to each owner of real or business personal property where the proposed nonconforming use is located as indicated by the most recently approved municipal tax roll and each occupant of the property not later than the 10th day before the hearing date;

(2) contain the time and place of the hearing; and

(3) include the following text in bold 14-point type or larger:

"THE [MUNICIPALITY NAME] IS HOLDING A HEARING THAT WILL DETERMINE WHETHER YOU MAY LOSE THE RIGHT TO CONTINUE USING YOUR PROPERTY FOR ITS CURRENT USE. PLEASE READ THIS NOTICE CAREFULLY."

(b) In addition to the notice required by Subsection (a), a general-law municipality that does not have a zoning commission shall give notice of a proposed change in a zoning classification to each property owner who would be entitled to notice under Section 211.007(c) if the municipality had a zoning commission. That notice must be given in the same manner as required for notice to property owners under Section 211.007(c). The governing body may not adopt the proposed change until after the 30th day after the date the notice required by this subsection is given.

(c) If the governing body of a home-rule municipality conducts a hearing under Subsection (a), the governing body may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing. Notice requirements prescribed under this subsection are in addition to the publication of notice required by Subsection (a).

(d) Repealed by Acts 2025, 89th Leg., R.S., Ch. 909 (H.B. 24), Sec. 7, eff. September 1, 2025.

(f) Repealed by Acts 2025, 89th Leg., R.S., Ch. 909 (H.B.

24), Sec. 7, eff. September 1, 2025.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 52 (S.B. 929), Sec. 1, eff. May 19, 2023.

Acts 2025, 89th Leg., R.S., Ch. 460 (H.B. 4506), Sec. 1, eff. June 20, 2025.

Acts 2025, 89th Leg., R.S., Ch. 909 (H.B. 24), Sec. 2, eff. September 1, 2025.

Acts 2025, 89th Leg., R.S., Ch. 909 (H.B. 24), Sec. 4, eff. September 1, 2025.

Acts 2025, 89th Leg., R.S., Ch. 909 (H.B. 24), Sec. 7, eff. September 1, 2025.

Sec. 211.0061. PROTEST PROCEDURES FOR CERTAIN PROPOSED CHANGES. (a) This section applies only to a proposed change to a zoning regulation or district boundary that is not a proposed comprehensive zoning change.

(b) A protest of a proposed change to a zoning regulation or district boundary must be written and signed by the owners of:

(1) at least 20 percent of the area of the lots or land covered by the proposed change;

(2) except as provided by Subdivision (3), at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area; or

(3) at least 60 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area if the proposed change has the effect of allowing more residential development than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development.

(c) In computing the percentage of land area under Subsection (b):

(1) the area of streets and alleys shall be included;
and

(2) the land area is not calculated individually for each tract of land subject to a proposed change in a zoning regulation or district boundary but in the aggregate for all tracts of land subject to the change.

(d) If a proposed change to a regulation or district boundary is protested in accordance with Subsection (b), the proposed change must receive, in order to take effect, the affirmative vote of at least:

(1) three-fourths of all members of the governing body for a protest described by Subsection (b)(1) or (2); or

(2) a majority of all members of the governing body for a protest described by Subsection (b)(3).

Added by Acts 2025, 89th Leg., R.S., Ch. 909 (H.B. 24), Sec. 3, eff. September 1, 2025.

Amended by:

Acts 2025, 89th Leg., R.S., Ch. 909 (H.B. 24), Sec. 4, eff. September 1, 2025.

Sec. 211.0063. NOTICE FOR PROPOSED COMPREHENSIVE ZONING CHANGES. The notices described by Section 211.006(a) or 211.007(d), as applicable, and Section 211.006(a-1) are the only notices required for a proposed comprehensive zoning change.

Added by Acts 2025, 89th Leg., R.S., Ch. 909 (H.B. 24), Sec. 5, eff. September 1, 2025.

Sec. 211.0065. PRESUMPTION OF VALIDITY FOR CERTAIN CHANGES TO ZONING REGULATIONS OR DISTRICT BOUNDARIES. A change to a zoning regulation or district boundary that has the effect of allowing more residential development than the previous regulation is conclusively presumed valid and to have occurred in accordance with all applicable statutes and ordinances if an action to annul or invalidate the change has not been filed before the 60th day after the effective date of the change.

Added by Acts 2025, 89th Leg., R.S., Ch. 909 (H.B. 24), Sec. 5, eff. September 1, 2025.

Sec. 211.007. ZONING COMMISSION. (a) To exercise the powers authorized by this subchapter, the governing body of a home-rule municipality shall, and the governing body of a general-law municipality may, appoint a zoning commission. The commission shall recommend boundaries for the original zoning districts and appropriate zoning regulations for each district. If the municipality has a municipal planning commission at the time of implementation of this subchapter, the governing body may appoint that commission to serve as the zoning commission.

(b) The zoning commission shall make a preliminary report and hold at least one public hearing on that report before submitting a final report to the governing body. The governing body may not hold a public hearing until it receives the final report of the zoning commission unless the governing body by ordinance provides that a public hearing is to be held, after the notice required by Section [211.006\(a\)](#), jointly with a public hearing required to be held by the zoning commission. In either case, the governing body may not take action on the matter until it receives the final report of the zoning commission.

(c) Before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on a proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail or by electronic delivery. If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the municipality and is not included on the most recently approved municipal tax roll, the notice shall be given in the manner provided by Section [211.006\(a\)](#).

(c-1) Before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on a proposed change in a zoning classification affecting residential or multifamily zoning shall be sent to each school district in which the property for which the change in classification is proposed is

located. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail or by electronic delivery.

(c-2) Subsection (c-1) does not apply to a municipality the majority of which is located in a county with a population of 100,000 or less, except that such a municipality must give notice under Subsection (c-1) to a school district that has territory in the municipality and requests the notice. For purposes of this subsection, if a school district makes a request for notice under Subsection (c-1), the municipality must give notice of each public hearing held following the request unless the school district requests that no further notices under Subsection (c-1) be given to the school district.

(d) The governing body of a home-rule municipality may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of a public hearing held jointly by the governing body and the zoning commission. If notice requirements are prescribed under this subsection, the notice requirements prescribed by Subsections (b) and (c) and by Section [211.006\(a\)](#) do not apply.

(e) If a general-law municipality exercises zoning authority without the appointment of a zoning commission, any reference in a law to a municipal zoning commission or planning commission means the governing body of the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 640 (H.B. [674](#)), Sec. 1, eff. September 1, 2013.

Acts 2023, 88th Leg., R.S., Ch. 401 (H.B. [1381](#)), Sec. 1, eff. September 1, 2023.

Acts 2025, 89th Leg., R.S., Ch. 460 (H.B. [4506](#)), Sec. 2, eff. June 20, 2025.

Sec. 211.0073. NOTICE SIGN REQUIREMENT FOR CERTAIN ZONING CHANGES IN HOME-RULE MUNICIPALITIES. (a) Not later than the 10th day before the date the zoning commission of a home-rule municipality holds a hearing on a proposed change in zoning

classification that does not apply to the whole municipality and until the date of a final determination on the proposed change by the governing body of the municipality, the zoning commission shall post a notice sign in accordance with this section on:

(1) the property affected by the change; or

(2) a public right-of-way for a change initiated by the municipality that affects multiple properties.

(b) The notice sign must be at least 24 inches long by 48 inches wide.

(c) The zoning commission may elect to provide, maintain, and pay for a notice sign under this section or require an applicant for a change in zoning classification to provide, maintain, and pay for the sign.

(d) Notice requirements prescribed under this section are in addition to notice required by Section [211.007](#).

Added by Acts 2025, 89th Leg., R.S., Ch. 909 (H.B. [24](#)), Sec. 6, eff. September 1, 2025.

Sec. 211.0075. COMPLIANCE WITH OPEN MEETINGS LAW. A board or commission established by an ordinance or resolution adopted by the governing body of a municipality to assist the governing body in developing an initial comprehensive zoning plan or initial zoning regulations for the municipality, or a committee of the board or commission that includes one or more members of the board or commission, is subject to Chapter [551](#), Government Code, regardless of whether the board, commission, or committee has rulemaking or quasi-judicial powers or functions only in an advisory capacity.

Added by Acts 1993, 73rd Leg., ch. 381, Sec. 1, eff. Aug. 30, 1993. Amended by Acts 1995, 74th Leg., ch. 76, Sec. 5.95(82), eff. Sept. 1, 1995.

Sec. 211.008. BOARD OF ADJUSTMENT. (a) The governing body of a municipality may provide for the appointment of a board of adjustment. In the regulations adopted under this subchapter, the governing body may authorize the board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, to make special exceptions to the terms of the zoning

ordinance that are consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules contained in the ordinance.

(b) A board of adjustment must consist of at least five members to be appointed for terms of two years. The governing body must provide the procedure for appointment. The governing body may authorize each member of the governing body, including the mayor, to appoint one member to the board. The appointing authority may remove a board member for cause, as found by the appointing authority, on a written charge after a public hearing. A vacancy on the board shall be filled for the unexpired term.

(c) The governing body, by charter or ordinance, may provide for the appointment of alternate board members to serve in the absence of one or more regular members when requested to do so by the mayor or city manager. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members.

(d) Each case before the board of adjustment must be heard by at least 75 percent of the members.

(e) The board by majority vote shall adopt rules in accordance with any ordinance adopted under this subchapter and with the approval of the governing body. Meetings of the board are held at the call of the presiding officer and at other times as determined by the board. The presiding officer or acting presiding officer may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public.

(f) The board shall keep minutes of its proceedings that indicate the vote of each member on each question or the fact that a member is absent or fails to vote. The board shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the board's office and are public records.

(g) The governing body of a Type A general-law municipality by ordinance may grant the members of the governing body the authority to act as a board of adjustment under this chapter.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended

by Acts 1993, 73rd Leg., ch. 126, Sec. 1, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 724, Sec. 1, eff. Aug. 28, 1995; Acts 1997, 75th Leg., ch. 363, Sec. 1, eff. Sept. 1, 1997.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 820 (H.B. [2497](#)), Sec. 1, eff. September 1, 2019.

Sec. 211.009. AUTHORITY OF BOARD. (a) The board of adjustment may:

(1) hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this subchapter or an ordinance adopted under this subchapter;

(2) hear and decide special exceptions to the terms of a zoning ordinance when the ordinance requires the board to do so;

(3) authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done; and

(4) hear and decide other matters authorized by an ordinance adopted under this subchapter.

(b) In exercising its authority under Subsection (a)(1), the board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.

(b-1) In exercising its authority under Subsection (a)(3), the board may consider the following as grounds to determine whether compliance with the ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

(1) the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the

most recent appraisal roll certified to the assessor for the municipality under Section [26.01](#), Tax Code;

(2) compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;

(3) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;

(4) compliance would result in the unreasonable encroachment on an adjacent property or easement; or

(5) the municipality considers the structure to be a nonconforming structure.

(c) The concurring vote of 75 percent of the members of the board is necessary to:

(1) reverse an order, requirement, decision, or determination of an administrative official;

(2) decide in favor of an applicant on a matter on which the board is required to pass under a zoning ordinance; or

(3) authorize a variation from the terms of a zoning ordinance.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 126, Sec. 2, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 724, Sec. 2, eff. Aug. 28, 1995.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 318 (H.B. [1475](#)), Sec. 1, eff. September 1, 2021.

Sec. 211.010. APPEAL TO BOARD. (a) Except as provided by Subsection (e), any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is not related to a specific application, address, or project:

(1) a person aggrieved by the decision; or

(2) any officer, department, board, or bureau of the municipality affected by the decision.

(a-1) Except as provided by Subsection (e), any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is related to a specific

application, address, or project:

(1) a person who:

(A) filed the application that is the subject of the decision;

(B) is the owner or representative of the owner of the property that is the subject of the decision; or

(C) is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or

(2) any officer, department, board, or bureau of the municipality affected by the decision.

(b) The appellant must file with the board and the official from whom the appeal is taken a notice of appeal specifying the grounds for the appeal. The appeal must be filed not later than the 20th day after the date the decision is made. On receiving the notice, the official from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record of the action that is appealed.

(c) An appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the board facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the board or a court of record on application, after notice to the official, if due cause is shown.

(d) The board shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney. The board shall decide the appeal at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the date the appeal is filed.

(e) A member of the governing body of the municipality who serves on the board of adjustment under Section [211.008\(g\)](#) may not bring an appeal under this section.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 363, Sec. 2, eff. Sept. 1, 1997.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 820 (H.B. [2497](#)), Sec. 2, eff. September 1, 2019.

Sec. 211.011. JUDICIAL REVIEW OF BOARD DECISION. (a) Any of the following persons may present to a district court, county court, or county court at law a verified petition stating that the decision of the board of adjustment is illegal in whole or in part and specifying the grounds of the illegality:

- (1) a person aggrieved by a decision of the board;
- (2) a taxpayer; or
- (3) an officer, department, board, or bureau of the municipality.

(b) The petition must be presented within 10 days after the date the decision is filed in the board's office.

(c) On the presentation of the petition, the court may grant a writ of certiorari directed to the board to review the board's decision. The writ must indicate the time by which the board's return must be made and served on the petitioner's attorney, which must be after 10 days and may be extended by the court. Granting of the writ does not stay the proceedings on the decision under appeal, but on application and after notice to the board the court may grant a restraining order if due cause is shown.

(d) The board's return must be verified and must concisely state any pertinent and material facts that show the grounds of the decision under appeal. The board is not required to return the original documents on which the board acted but may return certified or sworn copies of the documents or parts of the documents as required by the writ.

(e) If at the hearing the court determines that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take evidence as directed. The referee shall report the evidence to the court with the referee's findings of fact and conclusions of law. The referee's report constitutes a part of the proceedings on which the court shall make its decision.

(f) The court may reverse or affirm, in whole or in part, or

modify the decision that is appealed. Costs may not be assessed against the board unless the court determines that the board acted with gross negligence, in bad faith, or with malice in making its decision.

(g) The court may not apply a different standard of review to a decision of a board of adjustment that is composed of members of the governing body of the municipality under Section 211.008(g) than is applied to a decision of a board of adjustment that does not contain members of the governing body of a municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 363, Sec. 3, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 646, Sec. 1, eff. Aug. 30, 1999.

Sec. 211.012. ENFORCEMENT; PENALTY; REMEDIES. (a) The governing body of a municipality may adopt ordinances to enforce this subchapter or any ordinance or regulation adopted under this subchapter.

(b) A person commits an offense if the person violates this subchapter or an ordinance or regulation adopted under this subchapter. An offense under this subsection is a misdemeanor, punishable by fine, imprisonment, or both, as provided by the governing body. The governing body may also provide civil penalties for a violation.

(c) If a building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or if a building, other structure, or land is used in violation of this subchapter or an ordinance or regulation adopted under this subchapter, the appropriate municipal authority, in addition to other remedies, may institute appropriate action to:

(1) prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use;

(2) restrain, correct, or abate the violation;

(3) prevent the occupancy of the building, structure, or land; or

(4) prevent any illegal act, conduct, business, or use on or about the premises.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 211.013. CONFLICT WITH OTHER LAWS; EXCEPTIONS. (a) If a zoning regulation adopted under this subchapter requires a greater width or size of a yard, court, or other open space, requires a lower building height or fewer number of stories for a building, requires a greater percentage of lot to be left unoccupied, or otherwise imposes higher standards than those required under another statute or local ordinance or regulation, the regulation adopted under this subchapter controls. If the other statute or local ordinance or regulation imposes higher standards, that statute, ordinance, or regulation controls.

(b) This subchapter does not authorize the governing body of a municipality to require the removal or destruction of property that exists at the time the governing body implements this subchapter and that is actually and necessarily used in a public service business.

(c) This subchapter does not apply to a building, other structure, or land under the control, administration, or jurisdiction of a state or federal agency.

(d) This subchapter applies to a privately owned building or other structure and privately owned land when leased to a state agency.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1999, 76th Leg., ch. 476, Sec. 1, eff. June 18, 1999.

Sec. 211.014. PANEL OF BOARD OF ADJUSTMENT. (a) This section applies only to a municipality with a population of 500,000 or more.

(b) A board of adjustment shall consist of one or more panels of at least five members each to be appointed for terms of two years. If more than one panel of the board is appointed, the board consists of the regular members of all of the panels. The board may adopt rules for the assignment of appeals to a panel.

(c) If the board consists of more than one panel, only one panel may hear, handle, or render a decision in a particular case. A decision of a panel of the board on a case constitutes the

decision of the board.

(d) Meetings of a panel of the board are held at the call of the presiding officer of the panel and at other times as determined by the panel or the board.

(e) A panel of a board of adjustment:

(1) has the powers and duties that a board of adjustment has under Sections [211.008](#), [211.009](#), [211.010](#), and [211.011](#); and

(2) is to be treated as a board of adjustment for purposes of the requirement imposed by Section [211.008](#)(d).

Added by Acts 1993, 73rd Leg., ch. 126, Sec. 3, eff. Sept. 1, 1993.

Amended by Acts 2001, 77th Leg., ch. 402, Sec. 12, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 669, Sec. 73, eff. Sept. 1, 2001.

Amended by:

Acts 2005, 79th Leg., Ch. 24 (S.B. [177](#)), Sec. 1, eff. May 9, 2005.

Sec. 211.015. ZONING REFERENDUM IN HOME-RULE MUNICIPALITY.

(a) Notwithstanding other requirements of this subchapter, the voters of a home-rule municipality may repeal the municipality's zoning regulations adopted under this subchapter by either:

(1) a charter election conducted under law; or

(2) on the initial adoption of zoning regulations by a municipality, the use of any referendum process that is authorized under the charter of the municipality for public protest of the adoption of an ordinance.

(b) Notwithstanding any procedural or other requirements of this chapter to the contrary, the governing body of a home-rule municipality may on its own motion submit the repeal of the municipality's zoning regulations, as adopted under this chapter, in their entirety to the electors by use of any process that is authorized under the charter of the municipality for a popular vote on the rejection or repeal of ordinances in general.

(c) The provisions of this chapter shall not be construed to prohibit the adoption or application of any charter provision of a home-rule municipality that requires a waiting period prior to the adoption of zoning regulations or the submission of the initial

adoption of zoning regulations to a binding referendum election, or both, provided that all procedural requirements of this chapter for the adoption of the zoning regulation are otherwise complied with. This subsection does not apply to the adoption of airport zoning regulations under Chapter 241.

(d) Notwithstanding any charter provision to the contrary, a governing body of a municipality may adopt a zoning ordinance and condition its taking effect upon the ordinance receiving the approval of the electors at an election held for that purpose.

(e) The provisions of this section may only be utilized for the repeal of a municipality's zoning regulations in their entirety or for determinations of whether a municipality should initially adopt zoning regulations, except the governing body of a municipality may amend, modify, or repeal a zoning ordinance adopted, approved, or ratified at an election conducted pursuant to this section.

(f) The provisions of this section shall not authorize the repeal of:

(1) an ordinance approving land-use regulations adopted under the provisions of this chapter by a board of directors of a reinvestment zone under the authority of Section 311.010(c), Tax Code; or

(2) an ordinance approving airport zoning regulations adopted under Chapter 241.

Added by Acts 1993, 73rd Leg., ch. 126, Sec. 4, eff. Sept. 1, 1993.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 190 (S.B. 1360), Sec. 1, eff. May 23, 2007.

Sec. 211.016. ZONING REGULATION AFFECTING APPEARANCE OF BUILDINGS OR OPEN SPACE. (a) This section applies only to a zoning regulation that affects:

(1) the exterior appearance of a single-family house, including the type and amount of building materials; or

(2) the landscaping of a single-family residential lot, including the type and amount of plants or landscaping materials.

(b) A zoning regulation adopted after the approval of a residential subdivision plat does not apply to that subdivision until the second anniversary of the later of:

(1) the date the plat was approved; or

(2) the date the municipality accepts the subdivision improvements offered for public dedication.

(c) This section does not prevent a municipality from adopting or enforcing applicable building codes or prohibiting the use of building materials that have been proven to be inherently dangerous.

Added by Acts 2003, 78th Leg., ch. 524, Sec. 1, eff. Sept. 1, 2003.

Sec. 211.0165. DESIGNATION OF HISTORIC LANDMARK OR DISTRICT. (a) Except as provided by Subsection (b), a municipality that has established a process for designating places or areas of historical, cultural, or architectural importance and significance through the adoption of zoning regulations or zoning district boundaries may not designate a property as a local historic landmark or include a property within the boundaries of a local historic district unless:

(1) the owner of the property consents to the designation or inclusion; or

(2) if the owner does not consent, the designation or inclusion of the owner's property is approved by a three-fourths vote of:

(A) the governing body of the municipality; and

(B) the zoning, planning, or historical commission of the municipality, if any.

(a-1) If a municipality has more than one commission described by Subsection (a)(2)(B), the municipality shall designate one of those commissions as the entity with exclusive authority to approve the designations of properties as local historic landmarks and the inclusion of properties in a local historic district under that paragraph.

(b) If the property is owned by an organization that qualifies as a religious organization under Section 11.20, Tax Code, the municipality may designate the property as a local

historic landmark or include the property in a local historic district only if the organization consents to the designation or inclusion.

(c) The municipality must provide the property owner a statement that describes the impact that a historic designation or inclusion in a local historic district of the owner's property may have on the owner and the owner's property. The municipality must provide the statement to the owner not later than the 15th day before the date of the initial hearing on the historic designation or inclusion in a local historic district of the property of:

(1) the zoning, planning, or historical commission, if any; or

(2) the governing body of the municipality.

(d) The historic designation impact statement must include lists of the:

(1) regulations that may be applied to any structure on the property after the designation;

(2) procedures for the designation;

(3) tax benefits that may be applied to the property after the designation; and

(4) rehabilitation or repair programs that the municipality offers for a property designated as historic.

(e) The municipality must allow an owner to withdraw consent at any time during the designation process.

Added by Acts 2019, 86th Leg., R.S., Ch. 231 (H.B. [2496](#)), Sec. 1, eff. May 25, 2019.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 405 (S.B. [1585](#)), Sec. 1, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 405 (S.B. [1585](#)), Sec. 2, eff. September 1, 2021.

Sec. 211.0166. EXCLUSION FROM CERTAIN CONSERVATION DISTRICTS. (a) In this section, "conservation district" means a local preservation district authorized by ordinance by a municipality described by Subsection (b) to preserve, maintain, and protect the physical elements of development and the community

character and heritage of neighborhoods having distinctive characteristics and patterns of development.

(b) This subsection applies only to a property located in a municipality with a population of two million or more. Notwithstanding any other law, this subsection applies regardless of whether the municipality has established a process for designating places or areas of historical, cultural, or architectural importance and significance through the adoption of zoning regulations or zoning district boundaries. The owner of a property included within the boundaries of a conservation district authorized by ordinance may elect to exclude the property from the district by filing in the real property records for the county in which the property is located an acknowledged statement:

(1) describing the property by reference to a map or plat of the subdivision; and

(2) stating that the owner elects to have the property excluded from the district.

(c) Subsection (b) does not apply to:

(1) the designation of a property as a local historic landmark described by Section [211.0165\(a\)](#); or

(2) the inclusion of a property within the boundaries of a local historic district described by Section [211.0165\(a\)](#).

(d) A statement filed under Subsection (b) must be filed before the first anniversary of the date of the inclusion in a conservation district. The exclusion of a property takes effect on the filing of the statement by the owner of the property.

Added by Acts 2023, 88th Leg., R.S., Ch. 545 (H.B. [4057](#)), Sec. 1, eff. June 10, 2023.

Sec. 211.017. CONTINUATION OF LAND USE IN NEWLY INCORPORATED AREAS. (a) A municipality incorporated after September 1, 2003, may not prohibit a person from:

(1) continuing to use land in the area in the manner in which the land was being used on the date of incorporation if the land use was legal at that time; or

(2) beginning to use land in the area in the manner that was planned for the land before the 90th day before the

effective date of the incorporation if:

(A) one or more licenses, certificates, permits, approvals, or other forms of authorization by a governmental entity were required by law for the planned land use; and

(B) a completed application for the initial authorization was filed with the governmental entity before the date of incorporation.

(b) For purposes of this section, a completed application is filed if the application includes all documents and other information designated as required by the governmental entity in a written notice to the applicant.

(c) This section does not prohibit a municipality from imposing:

(1) a regulation relating to the location of sexually oriented businesses, as that term is defined by Section [243.002](#);

(2) a municipal ordinance, regulation, or other requirement affecting colonias, as that term is defined by Section [2306.581](#), Government Code;

(3) a regulation relating to preventing imminent destruction of property or injury to persons;

(4) a regulation relating to public nuisances;

(5) a regulation relating to flood control;

(6) a regulation relating to the storage and use of hazardous substances;

(7) a regulation relating to the sale and use of fireworks; or

(8) a regulation relating to the discharge of firearms.

(d) A municipal ordinance or rule in conflict with this section is void.

Added by Acts 2003, 78th Leg., ch. 279, Sec. 1, eff. Sept. 1, 2003.

Renumbered from Local Government Code, Section [211.016](#) by Acts 2005, 79th Leg., Ch. 728 (H.B. [2018](#)), Sec. 23.001(66), eff. September 1, 2005.

Sec. 211.018. CONTINUATION OF LAND USE REGARDING MANUFACTURED HOME COMMUNITIES. (a) In this section,

"manufactured home," "manufactured home community," and "manufactured home lot" have the meanings assigned by Section [94.001](#), Property Code.

(b) The governing body of a municipality may not require a change in the nonconforming use of any manufactured home lot within the boundaries of a manufactured home community if:

(1) the nonconforming use of the land constituting the manufactured home community is authorized by law; and

(2) at least 50 percent of the manufactured home lots in the manufactured home community are physically occupied by a manufactured home used as a residence.

(c) For purposes of Subsection (b), requiring a change in the nonconforming use includes:

(1) requiring the number of manufactured home lots designated as a nonconforming use to be decreased; and

(2) declaring that the nonconforming use of the manufactured home lots has been abandoned based on a period of continuous abandonment of use as a manufactured home lot of any lot for less than 12 months.

(d) A manufactured home owner may install a new or used manufactured home, regardless of the size, or any appurtenance on a manufactured home lot located in a manufactured home community for which a nonconforming use is authorized by law, provided that the manufactured home or appurtenance and the installation of the manufactured home or appurtenance comply with:

(1) nonconforming land use standards, including standards relating to separation and setback distances and lot size, applicable on the date the nonconforming use of the land constituting the manufactured home community was authorized by law; and

(2) all applicable state and federal law and standards in effect on the date of the installation of the manufactured home or appurtenance.

(e) A municipality that prohibits the construction of new single-family residences or the construction of additions to existing single-family residences on a site located in a designated floodplain may, notwithstanding Subsection (b), (c), or (d),

prohibit the installation of a manufactured home in a manufactured home community on a manufactured home lot that is located in an equivalently designated floodplain.

Added by Acts 2017, 85th Leg., R.S., Ch. 741 (S.B. [1248](#)), Sec. 1, eff. September 1, 2017.

Sec. 211.019. NONCONFORMING LAND USE. (a) In this section, "market value" means the price the sale of the property would bring in an arms-length transaction when offered for sale by one who wishes, but is not obliged, to sell and when bought by one who is under no necessity of buying it.

(b) A person using a property in a manner considered to be a nonconforming use as a result of the adoption of or change to a zoning regulation or boundary may continue to use the property in the same manner unless required by a municipality to stop the nonconforming use of the property.

(c) A requirement imposed by a municipality to stop a nonconforming use of a property under this section includes:

(1) an official action by the governing body of the municipality or a board, commission, department, or official of the municipality; or

(2) a determination by the municipality that a nonconforming use has an adverse effect or other necessary determination that a municipality must make before imposing a requirement to stop a nonconforming use under applicable law.

(d) If a municipality requires a property owner or lessee to stop the nonconforming use of a property as described by Subsection (b), the owner or lessee of the property is entitled to:

(1) payment from the municipality in an amount equal to the sum of:

(A) the costs incurred by the owner or lessee of the property that are directly attributable to ceasing the nonconforming use of the property, including expenses related to demolition, relocation, termination of a lease, or discharge of a mortgage; and

(B) an amount equal to the greater of, as determined by the municipality, the diminution in the market value

of the property, computed by subtracting the current market value of the property after the imposition of a requirement to stop the nonconforming use of the property from:

(i) the market value of the property on the day before the date the notice was given under Section [211.006\(a-1\)](#); or

(ii) the market value of the property on the day before a person submits an application or request to the municipality to require or the municipality otherwise requires a person to stop using the property in a manner that is a nonconforming use as described by Subsection (b); or

(2) continued nonconforming use of the property until the owner or lessee recovers the amount determined under Subdivision (1) through the owner or lessee's continued business activities according to generally accepted accounting principles.

(e) Not later than the 10th day after the date a municipality imposes a requirement to stop a nonconforming use of a property under this section, the municipality shall give written notice to each owner or lessee of the property, as indicated by the most recently approved municipal tax roll, who is required to stop a nonconforming use of the property of the requirement and of the remedies which an owner or lessee of the property is entitled to under Subsection (d).

(f) The owner or lessee of a property that is subject to a requirement to stop a nonconforming use of the property under this section shall not later than the 30th day after the date the municipality gives the notice required by Subsection (e) respond in writing to the municipality indicating the remedy under Subsection (d) chosen by the owner or lessee. In the event of a conflict in the choice of remedy by the owner and a lessee of the property, the owner's choice of remedy shall control. In the event of a conflict in the choice of remedy by the owners of a property that has more than one owner, the choice of remedy made by an owner or owners holding the greater ownership interest in the property shall control. If the municipality does not receive timely notice from an owner or lessee, the municipality may choose the remedy provided under this section.

(g) A person receiving a payment under Subsection (d)(1) must stop the nonconforming use not later than the 10th day after the date of the payment.

(h) A person who continues the nonconforming use under Subsection (d)(2) must stop the nonconforming use immediately on the recovery of the amount determined under Subsection (d)(1).

(i) If more than one person seeks a payment from the municipality under Subsection (d)(1), the municipality shall apportion the payment between each person based on the market value of the person's interest in the property. A person may appeal the apportionment in the manner provided by this section.

(j) A person entitled to a remedy under this section may appeal a determination under Subsection (d)(1) or (2) to the board of adjustment of the municipality not later than the 20th day after the date the determination is made. At the hearing before the board of adjustment, the municipality has the burden of proof to establish the correctness of its determination.

(k) A municipality or a person aggrieved by the final decision of the board of adjustment under Subsection (j) may seek judicial review of the decision by filing suit as provided by Section 211.011 not later than the 20th day after the date the final decision is made. The court shall review the decision in the manner provided by Section 211.011 except that:

(1) the municipality has the burden of proving by clear and convincing evidence that its determination was correct; and

(2) the court:

(A) in reviewing the municipality's decision may not use a deferential standard in the municipality's favor; and

(B) is not limited to determining whether a decision of the board meets the requirements of this chapter or other applicable law.

(l) A person seeking to continue a nonconforming use under Subsection (d)(2) who appeals the decision of the municipality or board of adjustment may continue to use the property in the same manner pending the appeal unless an official of the body that made the decision shows cause to stay the nonconforming use by certifying in writing to the board of adjustment or court with

jurisdiction over the appeal facts supporting the official's opinion that continued nonconforming use of the property would cause imminent peril to life or property. On a showing of cause the board of adjustment or court with jurisdiction over the appeal may, after notice to the official, grant a restraining order to stay continued nonconforming use of the property.

(m) If the board of adjustment or court with jurisdiction over an appeal determines that an owner or lessee is entitled to:

(1) a payment under this section in an amount different than the amount determined by the municipality under Subsection (d)(1), the board of adjustment or court shall order, as applicable:

(A) additional payment to the owner or lessee; or

(B) the owner or lessee to reimburse the municipality; or

(2) an amount of time to operate the nonconforming use that is different than the amount of time initially received under Subsection (d)(2), the board of adjustment or court shall order the municipality to allow an owner or lessee to continue the nonconforming use for additional or less time.

(n) An owner or lessee may waive the rights and remedies provided by this section by providing to the municipality a written waiver.

(o) This section does not apply to a nonconforming use that has been intentionally abandoned for at least six months.

(p) A municipality's immunity from suit and governmental immunity from liability are waived for purposes of an action brought by a property owner or lessee to enforce the rights and remedies under this section.

Added by Acts 2023, 88th Leg., R.S., Ch. 52 (S.B. [929](#)), Sec. 2, eff. May 19, 2023.

Sec. 211.020. ELECTRONIC DELIVERY OF NOTICE. (a) A municipality may deliver notice electronically under this chapter only if the recipient elects to receive notice electronically under Subsection (b).

(b) A municipality that intends to deliver notice

electronically under this chapter shall establish an online portal on the municipality's Internet website through which a notice recipient may:

(1) elect to receive notice electronically under this chapter; and

(2) manage preferences for receiving notice electronically under this chapter.

(c) A municipality may deliver notice electronically by e-mail or text message.

(d) A municipality shall request that the recipient of a notice delivered electronically under this chapter acknowledge receipt of the notice. The municipality must deliver the notice as otherwise provided by this chapter if the recipient does not acknowledge receipt of the notice delivered electronically.

Added by Acts 2025, 89th Leg., R.S., Ch. 460 (H.B. [4506](#)), Sec. 3, eff. June 20, 2025.

SUBCHAPTER B. ADDITIONAL ZONING REGULATIONS IN MUNICIPALITY WITH POPULATION OF MORE THAN 290,000

Sec. 211.021. ADDITIONAL ZONING REGULATIONS. (a) The governing body of a municipality with a population of more than 290,000 that has adopted a comprehensive zoning ordinance under Subchapter A may, by ordinance, divide the municipality into neighborhood zoning areas after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the municipality.

(b) The mayor of the municipality, with the approval of the governing body, may appoint a neighborhood advisory zoning council for each of the neighborhood zoning areas. Each zoning council must be composed of five citizens who reside in the neighborhood zoning area. A zoning council member is appointed for a term of two years.

(c) Each neighborhood advisory zoning council shall provide the zoning commission with information, advice, and

recommendations relating to each application filed with the zoning commission for zoning regulation changes that affect property within that neighborhood zoning area.

(d) On the filing of a zoning change application with the zoning commission, the zoning commission shall provide the appropriate neighborhood advisory zoning council with a copy of the application. The zoning council shall conduct a public hearing on the application and must publish notice of the time and place of the hearing in an official newspaper or a newspaper of general circulation in the municipality before the 10th day before the date of the hearing.

(e) At or before the zoning commission's hearing on the zoning change application, the neighborhood advisory zoning council shall submit to the zoning commission any information, advice, and recommendations relating to that application that the zoning council considers proper. The zoning commission may not overrule a recommendation of the zoning council with respect to the disposition of the application unless at least three-fourths of the members of the zoning commission who are present at the meeting vote to overrule the recommendation.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

SUBCHAPTER C. REGULATION OF COTTAGE FOOD PRODUCTION OPERATIONS

Sec. 211.031. DEFINITIONS. In this subchapter, "cottage food production operation" and "home" have the meanings assigned by Section [437.001](#), Health and Safety Code.

Added by Acts 2013, 83rd Leg., R.S., Ch. 653 (H.B. [970](#)), Sec. 7, eff. September 1, 2013.

Sec. 211.032. CERTAIN ZONING REGULATIONS PROHIBITED. A municipal zoning ordinance may not prohibit the use of a home for cottage food production operations.

Added by Acts 2013, 83rd Leg., R.S., Ch. 653 (H.B. [970](#)), Sec. 7, eff. September 1, 2013.

Sec. 211.033. ACTION FOR NUISANCE OR OTHER TORT. This

subchapter does not affect the right of a person to bring a cause of action under other law against an individual for nuisance or another tort arising out of the individual's use of the individual's home for cottage food production operations.

Added by Acts 2013, 83rd Leg., R.S., Ch. 653 (H.B. 970), Sec. 7, eff. September 1, 2013.

Subchapter D, consisting of Secs. 211.051 to 211.057, was added by Acts 2025, 89th Leg., R.S., Ch. 841 (S.B. 1567), Sec. 1.

For another Subchapter D, consisting of Secs. 211.051 to 211.058, added by Acts 2025, 89th Leg., R.S., Ch. 1127 (S.B. 15), Sec. 1, see Sec. 211.051 et seq., post.

SUBCHAPTER D. RESIDENTIAL ZONING LIMITATIONS RELATED TO OCCUPANCY IN CERTAIN MUNICIPALITIES

Sec. 211.051. DEFINITIONS. In this subchapter:

(1) "Dwelling unit" means a house, apartment unit, or any unit in a multiunit residential structure. The term does not include a unit in a hotel, motel, or other establishment in which more than half of the units are intended to be used for transient accommodations.

(2) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code.

Added by Acts 2025, 89th Leg., R.S., Ch. 841 (S.B. 1567), Sec. 1, eff. September 1, 2025.

Sec. 211.052. APPLICABILITY. This subchapter applies only to a home-rule municipality with a population of less than 250,000:

(1) in which the campus of an institution of higher education with a student enrollment of more than 20,000 is located; or

(2) that is adjacent to the campus of an institution of higher education described by Subdivision (1).

Added by Acts 2025, 89th Leg., R.S., Ch. 841 (S.B. 1567), Sec. 1, eff. September 1, 2025.

Sec. 211.053. DWELLING UNIT OCCUPANCY REQUIREMENTS.

(a) Except as provided by Subsection (b), a municipality may not adopt or enforce a zoning ordinance, rule, or other regulation that limits the number of people who may occupy a dwelling unit based on:

- (1) age;
- (2) familial status;
- (3) occupation;
- (4) relationship status; or
- (5) whether the occupants are related to each other by a certain degree of affinity or consanguinity.

(b) A municipality may impose a limit on the number of occupants of a dwelling unit that is not more restrictive than:

(1) one occupant per sleeping room with a minimum floor area of 70 square feet; and

(2) one additional occupant for each additional 50 square feet of floor area in the same sleeping room.

Added by Acts 2025, 89th Leg., R.S., Ch. 841 (S.B. [1567](#)), Sec. 1, eff. September 1, 2025.

Sec. 211.054. NO EFFECT ON OTHER ZONING AUTHORITY. This subchapter does not prohibit a municipality from imposing a limit on the number of people who may occupy a dwelling unit based on health and safety standards contained in:

(1) a building code as adopted under Subchapter [G](#), Chapter [214](#);

(2) a fire code;

(3) standards adopted by the Department of State Health Services; or

(4) local, state, or federal affordable housing program guidelines.

Added by Acts 2025, 89th Leg., R.S., Ch. 841 (S.B. [1567](#)), Sec. 1, eff. September 1, 2025.

Sec. 211.055. LEASE REVIEW PROHIBITED. A municipality may not require a real estate broker, agent, or other third party fiduciary to submit for review or provide access to a lease or related document to determine the number of unrelated occupants of a dwelling unit for the purpose of enforcing a dwelling unit

occupancy requirement.

Added by Acts 2025, 89th Leg., R.S., Ch. 841 (S.B. 1567), Sec. 1, eff. September 1, 2025.

Sec. 211.056. NO EFFECT ON PROPERTY OWNERS' ASSOCIATIONS AND OTHER PRIVATE AGREEMENTS. This subchapter does not prohibit a property owner from enforcing rules or deed restrictions imposed by a property owners' association or by other private agreement.

Added by Acts 2025, 89th Leg., R.S., Ch. 841 (S.B. 1567), Sec. 1, eff. September 1, 2025.

Sec. 211.057. CIVIL ACTION. (a) A person who owns property in or a tenant who resides in a municipality who is adversely affected or aggrieved by the municipality's violation of this subchapter may bring an action against the municipality or an officer or employee of the municipality in the officer's or employee's official capacity for relief described by Subsection (c).

(b) A claimant must bring an action under this section in a county in which the real property that is the subject of the action is wholly or partly located.

(c) In an action brought under this section, a court may:

(1) enter a declaratory judgment under Chapter 37, Civil Practice and Remedies Code;

(2) issue a writ of mandamus compelling a defendant officer or employee to comply with this subchapter; and

(3) issue an injunction preventing the defendant from violating this subchapter.

(d) A court shall award reasonable attorney's fees and court costs incurred in bringing an action under this section to a prevailing claimant.

(e) The Fifteenth Court of Appeals has exclusive intermediate appellate jurisdiction over an appeal or original proceeding arising from an action brought under this section.

Added by Acts 2025, 89th Leg., R.S., Ch. 841 (S.B. 1567), Sec. 1, eff. September 1, 2025.

Subchapter D, consisting of Secs. 211.051 to 211.058, was added by Acts 2025, 89th Leg., R.S., Ch. 1127 (S.B. 15), Sec. 1.

For another Subchapter D, consisting of Secs. 211.051 to 211.057, added by Acts 2025, 89th Leg., R.S., Ch. 841 (S.B. 1567), Sec. 1, see Sec. 211.051 et seq., post.

SUBCHAPTER D. RESIDENTIAL ZONING LIMITATIONS IN CERTAIN
MUNICIPALITIES

Sec. 211.051. DEFINITIONS. In this subchapter:

(1) "Housing organization" means a:

(A) trade or industry group organized under the laws of this state consisting of local members primarily engaged in the construction or management of housing units;

(B) nonprofit organization organized under the laws of this state that:

(i) provides or advocates for increased access or reduced barriers to housing; and

(ii) has filed written or oral comments with the legislature; or

(C) nonprofit organization organized under the laws of this state that is engaged in public policy research, education, and outreach that includes housing policy-related issues and advocacy.

(2) "Small lot" means a residential lot that is 4,000 square feet or less.

Added by Acts 2025, 89th Leg., R.S., Ch. 1127 (S.B. 15), Sec. 1, eff. September 1, 2025.

Sec. 211.052. APPLICABILITY. (a) This subchapter applies only to:

(1) a municipality that:

(A) has a population of more than 150,000; and

(B) is wholly or partly located in a county with a population of more than 300,000; and

(2) a tract of land located in a municipality described by Subdivision (1) that:

(A) will be platted and located in an area zoned

for single-family homes;

(B) is five acres or more; and

(C) has no recorded plat.

(b) This subchapter does not apply to an area located within:

(1) one mile of a campus of the perimeter of a law enforcement training center in a county that has a population of 2,600,000 or more;

(2) 3,000 feet of an airport or military base; or

(3) 15,000 feet of the boundary of a military base if the area is designated by a municipality or joint airport zoning board, as applicable, as a military airport overlay zone with a clear zone and accident potential zone designation, as described by the military base's air installation compatible use zone report.

Added by Acts 2025, 89th Leg., R.S., Ch. 1127 (S.B. 15), Sec. 1, eff. September 1, 2025.

Sec. 211.053. CONSTRUCTION OF SUBCHAPTER. This subchapter may not be construed to affect requirements directly related to:

(1) the use and occupancy of residential units leased for a term of less than 30 days; or

(2) flooding, sewer facilities, or well water located on an individual residential lot and serving only that lot.

Added by Acts 2025, 89th Leg., R.S., Ch. 1127 (S.B. 15), Sec. 1, eff. September 1, 2025.

Sec. 211.054. CERTAIN DWELLING UNIT LOT SIZE REQUIREMENTS PROHIBITED. A municipality may not adopt or enforce an ordinance, rule, or other measure that requires:

(1) a residential lot to be:

(A) larger than 3,000 square feet;

(B) wider than 30 feet; or

(C) deeper than 75 feet; or

(2) if regulating the density of dwelling units in a residential development, a ratio of dwelling units per acre that prevents a single-family home from being built on a residential lot that is at least 3,000 square feet.

Added by Acts 2025, 89th Leg., R.S., Ch. 1127 (S.B. 15), Sec. 1, eff. September 1, 2025.

Sec. 211.055. SMALL LOTS. (a) Except as provided by this section, a municipality may not adopt or enforce an ordinance, rule, or other measure that requires a small lot to have:

- (1) a building plane or other setback greater than:
 - (A) 15 feet from the front or 10 feet from the back of the property; or
 - (B) five feet from the side of the property;
- (2) covered parking;
- (3) more than one parking space per unit;
- (4) off-site parking;
- (5) more than 30 percent open space or permeable surface;
- (6) fewer than three full stories not exceeding 10 feet in height measured from the interior floor to ceiling;
- (7) a maximum building bulk;
- (8) a wall articulation requirement; or
- (9) any other zoning restriction that imposes restrictions inconsistent with this subsection, including restrictions through contiguous zoning districts or uses or from the creation of an overlapping zoning district.

(a-1) Notwithstanding Subsection (a)(1), a municipality may require with respect to a small lot a setback related to environmental features, erosion, or waterways, to the extent authorized by federal or other state law.

- (b) A municipality may require with respect to a small lot:
 - (1) the sharing of a driveway with another lot;
 - (2) permitting fees equivalent to the permitting fees charged for the development of a lot the use of which is restricted to a single-family residence; or
 - (3) impact fees, to the extent authorized by Chapter 395.

(c) Notwithstanding Subsection (a)(5), a municipality may adopt or enforce an ordinance, rule, or other measure with respect to a small lot that:

(1) applies to land located in an aquifer recharge zone; and

(2) relates to the protection of an aquifer.

Added by Acts 2025, 89th Leg., R.S., Ch. 1127 (S.B. 15), Sec. 1, eff. September 1, 2025.

Sec. 211.056. NO EFFECT ON OTHER ZONING AUTHORITY. Except as expressly provided by this subchapter, this subchapter does not prohibit a municipality from imposing restrictions that are applicable to all similarly situated lots or subdivisions, including requiring all subdivisions or all small lots to fully mitigate stormwater runoff.

Added by Acts 2025, 89th Leg., R.S., Ch. 1127 (S.B. 15), Sec. 1, eff. September 1, 2025.

Sec. 211.057. NO EFFECT ON HOMEOWNERS' ASSOCIATIONS AND OTHER PRIVATE AGREEMENTS. This subchapter does not prohibit property owners from enforcing rules or deed restrictions imposed by a homeowners' association or by other private agreement.

Added by Acts 2025, 89th Leg., R.S., Ch. 1127 (S.B. 15), Sec. 1, eff. September 1, 2025.

Sec. 211.058. ACTION. (a) A person adversely affected or aggrieved by a municipality's violation of this subchapter or a housing organization may bring an action against the municipality or an officer or employee of the municipality in the officer's or employee's official capacity for relief described by Subsection (c).

(b) A claimant must bring an action under this section in a county in which the real property that is the subject of the action is wholly or partly located.

(c) In an action brought under this section, a court may:

(1) enter a declaratory judgment under Chapter 37, Civil Practice and Remedies Code;

(2) issue a writ of mandamus compelling a defendant officer or employee to comply with this subchapter; and

(3) issue an injunction preventing the defendant from

violating this subchapter.

(d) A court shall award reasonable attorney's fees and court costs incurred in bringing an action under this section to a prevailing claimant.

(e) A claimant in an action brought under this section may elect in the claimant's petition to designate the Fifteenth Court of Appeals as the exclusive intermediate appellate court over an appeal or original proceeding arising from the action.

Added by Acts 2025, 89th Leg., R.S., Ch. 1127 (S.B. 15), Sec. 1, eff. September 1, 2025.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WATAUGA, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF WATAUGA, TEXAS, BY AMENDING ARTICLE II ("ADMINISTRATION AND ENFORCEMENT") OF CHAPTER 115 ("ZONING") TO AMEND SECTION 115-35 ("ADMINISTRATIVE") TO AMEND PROVISIONS RELATING TO PUBLIC HEARINGS, NOTICES, AND PROTESTS FOR CHANGES IN ZONING DISTRICT BOUNDARIES AND CLASSIFICATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, state law provides statutory requirements for the adoption and amendment of zoning ordinances and regulations pertaining to changes in zoning district boundaries and classifications, upon which the City's existing regulations are based; and

WHEREAS, state law has been amended to provide new and heightened requirements for public hearings, notices and protests for changes in zoning district boundaries and classifications; and

WHEREAS, the City's zoning regulations have not kept pace with changes in state law, and the Council finds and determines that the City's existing regulations pertaining to public hearings, notices, and protests, although initially designed to mirror state law requirements, should be updated to comport with statutory requirements; and

WHEREAS, the Planning and Zoning Commission of the City of Watauga and the governing body of the City of Watauga, in compliance with the laws of the State of Texas and the ordinances of the City of Watauga, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing and where the governing body in the exercise of its legislative discretion has concluded that the Zoning Ordinance of the City of Watauga should be amended.

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

I.

The above and foregoing premises are true and correct and are incorporated into the body of this Ordinance and made a part hereof for all purposes.

II.

Section 115-35 ("Administrative") of Article II ("Administration and Enforcement") of Chapter 115 ("Zoning Chapter of the City of Watauga, Texas") of the Code of Ordinances, Watauga, Texas, be and is hereby amended to repeal subsections (c) through (g) and replace subsections (c) and (d), such that subsections (c) and (d) of Section 115-35 shall henceforth read in their entirety as follows:

"CHAPTER 115 - ZONING

. . .

ARTICLE II – ADMINISTRATION AND ENFORCEMENT

. . .

Sec. 115-35. – Administration.

. . .

(c) *Changes and amendments.*

(1) *Declaration of policy.* The city council declares the enactment of this chapter is for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.

(2) *Authority to amend ordinance.* The city council may, from time to time, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts. Any amendment, supplement or change may be:

- a. Recommended by city staff;
- b. Ordered for consideration by the council;
- c. Initiated by the commission; or
- d. Be requested by petition of affected persons.

(3) *Review.*

- a. *Application required.* Every application to amend, supplement, or change the regulations of this chapter or the boundaries of the zoning districts shall be prepared in the form and manner prescribed by this chapter. Upon the filing of an application, the commission shall promptly schedule a public hearing on the proposed change.
- b. *Public hearing and notice before the planning and zoning commission.* Prior to submitting its final report to the council, the commission shall hold at least one public hearing thereon. Written notice of all commission public hearings on proposed changes in zoning classification shall be sent to all owners of property, as indicated by the most recently approved municipal tax roll, within 200 feet of the property on which the change in classification is proposed. The notice shall be sent before the 10th day before the commission's public hearing. Should the public hearing be continued or postponed, or should the commission conduct a second or multiple public hearings, additional written notices are not required. The notice may be served by its deposit in the city, properly addressed with postage paid, in the United States mail or by electronic delivery.
 1. If the proposed change in zoning classification affects residential or multifamily zoning, written notice shall be sent to each school district in which the affected property is located.
 2. If a proposed change in zoning classification does not apply to the entire city, then no later than the 10th day before the commission holds its public hearing, the commission shall post a notice sign on the affected property, or on a public right-of-way if the change is initiated by the city and affects multiple properties. The sign must be at least 24" by 48" and shall remain posted until the city council makes a final determination on the proposed change.
 3. The council and commission may jointly conduct a public hearing. The city council may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the joint public hearing. If the proposed change is an amendment, supplement or repeal of a regulation and does not change the zoning classification or district boundary of property, then notice by mail or email is not required.
- c. *Commission report.* The commission, after the public hearing is closed, shall submit its final report on the requested change and its recommendation thereon to the city council. The commission may defer its final report for not more than 90 days.
- d. *Public hearing and notice by council.*
 1. The city council may from time to time amend and supplement the regulations in this chapter and may amend boundaries of districts affected by these regulations.
 2. A regulation or change in district boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an

opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the city and on the city's website.

3. The city council may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing.
4. As authorized by applicable state law, the city council may hold public hearings jointly with the planning and zoning commission. The city council may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the joint public hearing.

e. *Protests.*

1. A proposed change to a zoning regulation or district boundary shall not become effective except by favorable vote of three-fourths of all the members of the city council if a written protest, signed by the owners of at least 20% of (1) the land covered by the proposed change, or (2) the land immediately adjoining the land covered by the proposed change and extending 200 feet from the land, is filed with the city no later than 5:00 p.m., on the day immediately preceding the date of the city council's public hearing.
2. In calculating the percentage of land area under this section:
 - a. the area of streets and alleys shall be included;
 - b. the area of land within the city's extraterritorial jurisdiction and beyond the city's limits shall be included; and
 - c. the land area is not calculated individually for each tract of land subject to a proposed change but in the aggregate for all tracts of land subject to the change.
3. The foregoing protest provisions shall not apply to a change to a zoning regulation or district boundary if:
 - a. the proposed change has the effect of allowing more residential development than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development; or
 - b. the proposed change is not a proposed comprehensive zoning change. For the purposes of this subsection, a "proposed comprehensive zoning change" means a proposal to:
 - i. change an existing zoning regulation that

1. will have the effect of allowing more residential development than the previous regulation, and will apply uniformly to each parcel in one or more zoning districts;
2. adopt a new comprehensive zoning code or map that will apply to the entire city; or
3. adopt a new zoning overlay district or planned development that will have the effect of allowing more residential development than allowed without the overlay or planned development and will include an area along a major roadway, highway, or transit corridor.

(d) *Expenses and fees.* No application shall be deemed filed until all required fees as set forth in the city's Fee Schedule have been paid in full."

III.

All provisions of the ordinances of the City of Watauga in conflict with the provisions of this ordinance be and the same are hereby repealed and all other provisions of the ordinances of the City of Watauga not in conflict with the provisions of this ordinance shall remain in full force and effect.

IV.

Should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance or Code of Ordinances as a whole.

V.

That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Watauga, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

VI.

This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas this the ____ day of _____, 2026.

APPROVED:

Arthur L. Miner, Mayor

ATTEST:

Linda Proskey, City Secretary

APPROVED AS TO FORM AND LEGALITY:

David Berman, City Attorney