
Live Stream at <https://www.burlesontx.com/watchlive>

City Hall Council Chambers, 141 W. Renfro, Burleson, TX 76028

1. **CALL TO ORDER**

Invocation - Ron Williams, Pastor at Faith to Faith Ministries

Pledge of Allegiance to the US Flag

2. **PUBLIC PRESENTATIONS**

A. Proclamations

- A proclamation recognizing "National Code Compliance Month" in the City of Burleson. *(Staff Contact: Lisa Duello, Deputy Director of Development Services)*

- A proclamation recognizing "Cybersecurity Awareness Month" in the City of Burleson. *(Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)*

- A proclamation recognizing "National Friends of the Library Week" in the City of Burleson. *(Recipient: Barbara Tosiano)*

B. Presentations

- State Certificate of Recognition - Congratulations to Burleson Police Department on their 12th Accreditation from the Commission on Accreditation for Law Enforcement Agencies. *(Texas State Representative Helen Kerwin, House District 58)*

- Congratulate City of Burleson Library on receiving the Texas Reads Grant from the Texas State Library and Archives Commission. *(Texas State Representative Helen Kerwin, House District 58)*

- Present proposed City of Burleson Hotel Tax Bill to be filed in the 90th Texas Legislative Session. *(Texas State Representative Helen Kerwin, House District 58)*

C. Community Interest Items

This is a standing item on the agenda of every regular meeting of the City Council. An "item of community interest" includes the following:

- Expression of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- Honorary recognitions of city officials, employees, or other citizens;
- Reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city official or city employee; and
- Announcements involving imminent public health and safety threats to the city.

3. CHANGES TO POSTED AGENDA

- A. Items to be continued or withdrawn.
- B. Items to be withdrawn from the Consent Agenda for separate discussion by the City Council, staff, or members of the public in attendance.

4. CITIZENS APPEARANCES

Each person in attendance who desires to speak to the City Council on an item NOT posted on the agenda, shall speak during this section.

A speaker card must be filled out and turned in to the City Secretary prior to addressing the City Council. Each speaker will be allowed three (3) minutes.

Please note that City Council may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the City Council from deliberating or taking action on an item not listed on the agenda. City Council may, however, receive your comments on the unlisted item, ask clarifying questions, respond with facts, and explain policy.

Each person in attendance who desires to speak to the City Council on an item posted on the agenda, shall speak when the item is called forward for consideration.

5. CONSENT AGENDA

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items. Approval of the consent agenda authorizes the City Manager to implement each item in accordance with staff recommendations.

- A. Consider and take possible action on the minutes from the September 14, 2026 special council meeting and September 21, 2026 regular council meeting. (*Staff Contact: Monica Solko, Deputy City Secretary*)
- B. Consider and take possible action on a contract with the Texas State Library and Archives Commission (TSLAC) for Texas Reads grant number TXR-27002 in the amount of \$9,021. (*Staff Contact: Sara Miller, Deputy Director-Library*)
- C. Consider and take possible action on a minute order authorizing the purchase of merchandise for retail sale with Titleist Golf for Hidden Creek Golf Course in the amount of \$125,000. (*Staff Contact: Eric Oscarson, Deputy City Manager*)
- D. Consider and take possible action on a minute order authorizing the purchase of food for retail sale with Ben E Keith Foods at Hidden Creek Golf Course in the amount of \$125,000. (*Staff Contact: Eric Oscarson, Deputy City Manager*)
- E. Consider and take possible action on a minute order authorizing Fiscal Year 2026–2027 expenditures under the Facility Management Agreement with Sports Facilities Companies, LLC (CSO#5948-10-2025), including \$479,608 for goods purchased for retail sale and \$1,115,463 for salaries and wages. (*Staff Contact: Eric Oscarson, Deputy City Manager*)
- F. Consider and take possible action on a minute order authorizing expenditures with Dell Marketing LP under DIR (DIR-CPO-5792) for computers, monitors, and peripherals for the

fiscal year 2027 computer replacement program in the amount of \$250,000. *(Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)*

- G. Consider and take possible action on a minute order with CDW Government LLC to purchase wireless access points, security cameras, monitors, and peripheral equipment, using the Cooperative Customer Agreement through OMNIA Partners, TIPS, Sourcewell, or DIR, in the amount of \$120,000. *(Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)*
- H. Consider and take possible action on a five-year agreement with CivicPlus, LLC, through TIPS (220105) cooperative purchasing contract, for the City's website platform and related services in the total amount of \$209,663.55. *(Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)*
- I. Consider and take possible action on a minute order authorizing the purchase of products and services from Amazon Business through the Choice Partners Cooperative Contract No. 22/045KN-01) for Fiscal Year 2026-2027 in the amount of \$150,000. *(Staff Contact: Andrea Anderson, Purchasing Manager)*
- J. Hold a public hearing and consider and take possible action on an ordinance amending the text of the city's zoning ordinance codified in Appendix B of the City of Burleson Code of Ordinances. *(Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)*

6. DEVELOPMENT APPLICATIONS

- A. 279 W Hidden Creek Pkwy (ZC26-007): Hold a public hearing and consider and take possible action on a zoning ordinance change request on approximately 8.216 acres of land from "PD", Planned Development, to "PD", Planned Development. *(First and Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)*
- B. Hold a public hearing and consider and take possible action on an ordinance amending the text of the city's zoning ordinance codified in Appendix B, Zoning, Article V, Supplemental Regulations of the City of Burleson Code of Ordinances. *(First Reading) (Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)*

7. GENERAL

- A. Hold a public hearing and consider and take possible action on an ordinance establishing Standards of Care for childcare programs operated by the Parks and Recreation Department. *(First Reading) (Staff Contact: Eric Oscarson, Deputy City Manager)*
- B. Consider and take possible action on amended and restated real estate contract for the purchase of city owned property located at 112 SE Gardens Boulevard, Burleson, Texas in the amount of \$500,000 dollars. *(Staff Contact: Alex Philips, Director of Economic Development)*
- C. Consider and take possible action on an amended and restated Performance Agreement between the City of Burleson and BTX Flex, LLC., Inc. (CSO#6105-04-2026) for a commercial flex development located at 112 SE Gardens Boulevard in Burleson, Texas. *(Staff Contact: Alex Philips, Director of Economic Development)*

- D. Consider and take possible action on an ordinance amending Chapter 58 “Parks and Recreation” (CSO#103-12-2014) of the Code of Ordinances by adding electric motorcycles to the list of prohibited motor vehicles in city parks, by adding electric bicycles to the list of wheeled equipment that may be prohibited at city parks if designated by proper signage, and amending Chapter 78 “Traffic and Vehicles” (B-554) by adding a prohibition of operating an electric motorcycle, pocket bike, mini-motorbike, and ATVs on city property, by adding a prohibition of any child to operate certain wheeled devices without a helmet, and by adding the prohibition for any parent or guardian to permit a child to operate certain wheeled devices. *(Staff Contact: Wes Routson, Deputy Chief of Police)*
- E. Consider and take possible action on a minute order electing a councilmember to serve as Mayor Pro Tem for a term of one year. *(Staff Contact: Monica Solko, Deputy City Secretary)*
- F. Consider and take possible action to cast the City of Burleson’s vote for Texas Municipal League Region 8 Director. *(Staff Contact: Monica Solko, Deputy City Secretary)*

8. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion, and provide staff direction regarding our federal legislative efforts. *(Presenter: Mike Lane, Kiley & Associates) (Staff Contact: Janalea Hembree, Director of Strategy and Innovation)*
- B. Receive a report, hold a discussion, and provide staff direction regarding updates from the Forestry Division. *(Staff Contact: Dr. Jessie Farris, Urban Forester)*

9. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS AND REPORTS

10. RECESS INTO EXECUTIVE SESSION

In accordance with Chapter 551 of the Texas Government Code, the City Council may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda. The City Council may reconvene into open session and take action on posted items.

- A. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code**
 - Cause No. DC-C202600611, *Lott v. City of Burleson*, In the District Court, 249th Judicial District, Johnson County, Texas
 - Petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 115.00 acres of land addressed 8137 FM 1902 (REL26-001)
 - Receive a report regarding Texas Tax Code Section 6.033 and related provisions
 - Receive a report regarding Texas Tax Code Sections 6.035, 6.05, and related provisions, Texas Government Code Sections 573.041, 573.062, and related provisions, and Local Government Code Chapter 171 and related provisions
- B. Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072, Texas Government Code**
- C. Deliberation regarding commercial or financial information received from or the offer of a financial or other incentive made to a business prospect seeking to locate, stay or expand in or near the territory of the City and with which the City is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code**
- D. Deliberation regarding a cybersecurity measure, policy, or contract solely intended to protect a critical infrastructure facility located in the city pursuant to Section 551.0761, Texas Government Code**

- Receive a report on a public safety radio infrastructure and equipment update
- E. Deliberation regarding security devices or security audits relating to information resources technology, certain network security information, or the deployment of security personnel, critical infrastructure, or security devices pursuant to Section 551.089, Texas Government Code**
- Receive a report on a public safety radio infrastructure and equipment update

11. ADJOURN

CERTIFICATE

I hereby certify that the above agenda was posted on this the **24th of September 2026, by 6:00 p.m.**, on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

BUDGET STATEMENT

*Pursuant to Section 551.043, Government Code, the following taxpayer impact statement must be on the City Council meeting agenda at which the City Council will discuss or adopt a budget for the City of Burleson: *For a median-valued homestead property (\$301,997 for tax year 2025, \$297,979 for tax year 2026), the City's portion of the property tax bill in dollars for the current fiscal year (FY25-26) is \$2,180, the City's portion of the property tax bill for the upcoming fiscal year (FY26-27) for the same property if the proposed budget is adopted is estimated to be \$2,175, and the City's portion of the property tax bill in dollars for the upcoming fiscal year (FY26-27) for the same property if a budget funded at the no-new-revenue rate under Chapter 26, Tax Code, is adopted is estimated to be \$2,175. A copy of the proposed budget is accessible on the home page of the governmental body's Internet website (www.burlesontx.com).***

**The figures used in the statement are based on information received from the Johnson County Central Appraisal District and Tarrant Appraisal District.*

***The figures used in this statement are based on the budget ordinance approved by the city council.*

ACCESSIBILITY STATEMENT

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available

in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.

City Council Regular Meeting

DEPARTMENT: City Secretary's Office
FROM: Monica Solko, Deputy City Secretary
MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on the minutes from the September 14, 2026 special council meeting and September 21, 2026 regular council meeting. (*Staff Contact: Monica Solko, Deputy City Secretary*)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The City Council duly and legally met on the September 14, 2026 special council meeting and September 21, 2026 regular council meeting.

RECOMMENDATION:

Council may approve the minutes as presented or approve with amendments.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

N/A

STAFF CONTACT:

Monica Solko, TRMC
Deputy City Secretary
msolko@burlesontx.com
817-426-9682

**BURLESON CITY COUNCIL SPECIAL MEETING
SEPTEMBER 14, 2026
DRAFT MINUTES**

ROLL CALL

COUNCIL PRESENT:

Victoria Johnson
Phil Anderson
Alexa Boedeker
Chris Fletcher
Larry H. Scott
Dan McClendon
Adam Russell

COUNCIL ABSENT:

Staff present

Tommy Ludwig, City Manager
Harlan Jefferson, Deputy City Manager
Amanda Campos, City Secretary
Monica Solko, Deputy City Secretary
Allen Taylor, City Attorney
Matt Ribitzki, Deputy City Attorney

1. CALL TO ORDER - Time 5:30 p.m.

Mayor Fletcher called the meeting to order. **Time: 5:33 p.m.**

2. CITIZEN APPEARANCES

- No speakers.

3. BUDGET AND TAX RATE

Amanda Campos, City Secretary, announced that items under 3A-3J will be presented as one presentation but will be voted on separately.

- A. CSO#6265-09-2026, ordinance amending the Code of Ordinances by amending Chapter 82 "Utilities" to add Article VII "Municipal Drainage Utility System," Division 1 "Creation and Administration" to establish a Municipal Drainage Utility System; and providing for a drainage service, billing, exemptions, drainage charges, and appeals. (Final Reading) (Staff Contact: Kevin Hennessey, Director of Finance)**

Kevin Hennessey, Director of Finance, gave a brief overview of the proposed budget, property tax rate, proposed city fees, budget modifications and reimbursement resolution for CIP.

Motion made by Phil Anderson and seconded by Alexa Boedeker to approve.

Motion passed 7-0.

- B. CSO#6266-09-2026, ordinance amending the Code of Ordinances by amending Article VII "Municipal Drainage Utility System" of Chapter 82 "Utilities" to add Division 2, "Municipal Drainage Utility Schedule of Drainage Charges" establishing a municipal drainage utility system fee; and providing a schedule of drainage charges. (Final Reading) (Staff Contact: Kevin Hennessey, Director of Finance)**

Motion made by Alexa Boedeker and seconded by Victoria Johnson to approve.

Motion passed 5-2, with Larry Scott and Adam Russell voting against.

- C. CSO#6267-09-2026, ordinance adopting the budget for Fiscal Year 2026-2027 beginning October 1, 2026, and terminating September 30, 2027, and making appropriations for each fund; repealing conflicting ordinances; providing a severability clause and an effective date; and finding that the meeting at which this ordinance is passed is open to the public. This budget will raise more total property taxes than last year's budget by an amount of \$991,712, which is a 2.12 percent increase, and of that amount \$543,173 is tax revenue to be raised from new property added to the tax roll this year and (Final Reading) (Staff Contact: Kevin Hennessey, Director of Finance).**

Allen Taylor, City Attorney, explained that Item 3C required two separate votes. The first vote is to consider the adoption of the FY2026-2027 budget ordinance. If the budget is adopted, it will generate more property tax revenue than the previous year, a second vote is required to ratify the increase in tax revenue resulting from the adoption of the FY 2026-2027 municipal budget.

Motion made by Adam Russell and seconded by Dan McClendon to approve the FY2026-2027 budget.

A record vote was taken with the following results:

For: Chris Fletcher, Mayor
Victoria Johnson, Place 1
Phil Anderson, Place 2
Alexa Boedeker, Place 3
Larry Scott, Place 4
Dan McClendon, Place 5

Adam Russell, Place 6

Against: None.

Abstain: None.

Absent: None.

Motion passed 7-0.

CSO#6268-09-2026, minute order ratifying adopting the budget for Fiscal Year 2026-2027 beginning October 1, 2026, and terminating September 30, 2027, and making appropriations for each fund; repealing conflicting ordinances; providing a severability clause and an effective date; and finding that the meeting at which this ordinance is passed is open to the public. This budget will raise more total property taxes than last year's budget by an amount of \$991,712, which is a 2.12 percent increase, and of that amount \$543,173 is tax revenue to be raised from new property added to the tax roll this year (Final Reading) (Staff Contact: Kevin Hennessey, Director of Finance).

Motion made by Adam Russell and seconded by Victoria Johnson to ratify the tax revenue created by the adoption FY 2026-2027 Budget.

Motion passed 7-0.

- D. CSO#6269-09-2026, ordinance levying the ad valorem property tax of the City of Burleson for Tax Year 2026 on all taxable property within the corporate limits of the city on January 1, 2026, and adopting a tax rate of \$0.7298 per \$100 of valuation for Tax Year 2026; providing for revenues for payment of current municipal maintenance and operation expenses and payment of interest and principal on outstanding City of Burleson debt; providing for enforcement of collections; repealing conflicting ordinances; providing a severability clause and an effective date; and finding that the meeting at which this ordinance is passed is open to the public. The proposed tax rate does not exceed the no-new-revenue tax rate. (Final Reading) (Staff Contact: Kevin Hennessey, Director of Finance)**

Motion made by Dan McClendon and seconded by Adam Russell that the property tax rate be a tax rate of 0.7298 dollars per one hundred dollars valuation, and of that rate, 0.5013 dollars per one hundred dollars valuation is to fund maintenance and operations and 0.2285 dollars per one hundred dollars valuation is to fund the City's debt service.

A record vote was taken with the following results:

For: Chris Fletcher, Mayor

Victoria Johnson, Place 1
Phil Anderson, Place 2
Alexa Boedeker, Place 3
Larry Scott, Place 4
Dan McClendon, Place 5
Adam Russell, Place 6

Against: None.

Abstain: None.

Absent: None.

Motion passed 7-0.

- E. CSO#6270-09-2026, ordinance providing a Fiscal Year 2026-2027 schedule of fees for various City of Burleson services. (Final Reading) (Staff Contact: Kevin Hennessey, Director of Finance)**

Motion made by Phil Anderson and seconded by Larry Scott to approve.

Motion passed 7-0.

- F. CSO#6271-09-2026, ordinance providing Fiscal Year 2026-2027 rates for water and wastewater service. (Final Reading) (Staff Contact: Kevin Hennessey, Director of Finance)**

Motion made by Victoria Johnson and seconded by Alexa Boedeker to approve the rates for water and wastewater service for FY 2026-2027.

Motion passed 7-0.

- G. CSO#6272-09-2026, ordinance providing Fiscal Year 2026-2027 rates for collection and disposal of residential and non-residential solid waste, recyclables, and trash. (Final Reading) (Staff Contact: Kevin Hennessey, Director of Finance)**

Motion made by Larry Scott and seconded by Phil Anderson to approve the FY 2026-2027 rates for collection and disposal of residential and non-residential solid waste recyclables, and trash.

Motion passed 7-0.

- H. CSO#6273-09-2026, ordinance adopting the five-year Capital Improvement Plan (CIP) for Fiscal Year 2026-2027 to 2030-2031. (Final Reading) (Staff Contact: Kevin Hennessey, Director of Finance)**

Motion made by Adam Russell and seconded by Larry Scott to approve CIP Plan for FY 2026-2027 to 2030-2031

Motion passed 7-0.

- I. CSO#6274-09-2026, FY 2026-2027 City of Burleson Strategic Plan. (Staff Contact: Janalea Hembree, Director of Strategy and Innovation)**

Motion made by Victoria Johnson and seconded by Larry Scott to approve the FY 2026-2027 City of Burleson Strategic Plan.

Motion passed 7-0.

- J. CSO#6275-09-2026, resolution declaring intention to reimburse an amount not to exceed \$79,944,910 for certain capital expenditures with proceeds from debt; and placing time restrictions on the issuance of tax-exempt obligations. (Staff Contact: Kevin Hennessey, Director of Finance)**

Motion made by Adam Russel and seconded by Larry Scott to approve the reimbursement resolution.

Motion passed 7-0.

4. GENERAL

- A. CSO#6276-09-2026, Consider and take possible action on an ordinance amending the City operating budget (CSO#5910-09-2025) for Fiscal Year 2025-2026 by increasing anticipated revenues in the amount of \$1,034,470 and appropriations in the amount of \$3,738,976 in various funds; and finding time is of the essence. (First and Final Reading) (Staff Contact: Kevin Hennessey, Director of Finance)**

Kevin Hennessey, Director of Finance, presented an amendment to the city operating budget for FY 2025-2026 to the city council. The budget amendment to increase revenue by \$1,034,470 and appropriations in the amount of \$3,738,976 in various funds to accommodate operating and capital needs for FY 2025-2026.

Motion made by Dan McClendon and seconded by Adam Russell to approve.

Motion passed 7-0.

5. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion, and provide staff direction on the issuance and sale of City of Burleson, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2026; General Obligation Refunding**

and Improvement Bonds, Series 2026, and Corporation's Sales Tax Revenue Bonds, Series 2026. (Staff Contact: Harlan Jefferson, Deputy City Manager)

Harlan Jefferson, Deputy City Manager, introduced Marty Shu with Hilltop Securities. She gave an update on the certificates of obligation and general obligations refunding bonds.

Actual sale results for Gos, Cos, and Revenue Bonds:

- The aggregate principal amount of the COs is \$32,895,000;
- The aggregate principal amount of the GOs is \$17,820,000; (This includes the new money issue and the refunding bonds)
- The aggregate principal amount of Sales Tax Revenue Bonds is \$6,710,000;
- The final true interest cost (TIC) on the debt is 4.33% (GO), 4.38% (CO), and 5.66% for the Sales Tax Revenue Bonds;
- The refunded Revenue Bonds produced a net present value debt service savings of 1.62%;
- The final maturity is March 1, 2046; and
- The Pricing Officer exercised the delegation within fifteen (15) days from the date of adoption of the parameter ordinance.
- September 30, 2026 is closing date.

6. RECESS INTO EXECUTIVE SESSION

In accordance with Chapter 551 of the Texas Government Code, the City Council may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda. The City Council may reconvene into open session and take action on posted items.

A. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code

- No executive session needed.

CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS AND REPORTS

- Requested that the structure, makeup, and boundaries of the TIF be reviewed and brought forward to the Community & Intergovernmental Relations Committee or City Council for an update and further discussion.

7. **ADJOURNMENT**

Motion made by Adam Russell and seconded by Victoria Johnson to adjourn.

Motion passed 7-0.

Mayor Chris Fletcher adjourned the meeting.

Time: 6:05 p.m.

Monica Solko
Deputy City Secretary

**BURLESON CITY COUNCIL REGULAR MEETING
SEPTEMBER 21, 2026
DRAFT MINUTES**

ROLL CALL

COUNCIL PRESENT:

Victoria Johnson
Phil Anderson
Alexa Boedeker
Chris Fletcher
Larry H. Scott
Dan McClendon
Adam Russell

COUNCIL ABSENT:

Staff present

Tommy Ludwig, City Manager
Harlan Jefferson, Deputy City Manager
Eric Oscarson, Deputy City Manager
Amanda Campos, City Secretary
Monica Solko, Deputy City Secretary
Allen Taylor, City Attorney
Matt Ribitzki, Deputy City Attorney

1. CALL TO ORDER - Time 5:30 p.m.

Mayor Fletcher called the meeting to order. **Time: 5:30 p.m.**

Invocation led by Bob Massey, Secretary and Treasurer of the Burleson Christian Ministerial Alliance (BCMA)

Pledge of Allegiance to the US Flag

2. PUBLIC PRESENTATIONS

A. Proclamations

- A Proclamation recognizing "Constitution Week" in the City of Burleson (*Recipient: Betsy Ruffin*)

B. Presentations

- None.

C. Community Interest Items

- The Be Healthy 5K was held over the weekend, with a great turnout. Congratulations to Mayor Pro Tem Dan McClendon who received a medal at the event. Thank you to staff and the Parks and Recreation for organizing another successful event.
- Join us in October for free Zumba classes in the plaza.
- The Burleson Public Library was recognized for another successful summer with the following:
 - 46,000 library visits
 - 67,000 items checked out (a record)
 - 11,736 attendees at library events
 - 601 new library cards issued
 - Kudos to Atmos Energy for their sponsorship and the community who supported the programs.
- Join us for Art in the Park, Baily Lake Park, come create and connect, tomorrow evening at 5:30pm, outdoor crafting mobile rock painting and friendship bracelet making.
- Join us Saturday for Hispanic Heritage Month Celebration in the plaza, 5-8 p.m., featuring music, food and community activities.

3. CHANGES TO POSTED AGENDA

- **Items to be continued or withdrawn**
 - None.
- **Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the Consent Agenda.**
 - None.

4. CITIZEN APPEARANCES

- No speakers.

5. CONSENT AGENDA

A. Minutes from the September 8, 2026 regular council meeting. (*Staff Contact: Monica Solko, Deputy City Secretary*)

Motion made by Phil Anderson and seconded by Alexa Boedeker to approve the consent agenda.

Motion passed 7-0.

B. CSO#6277-09-2026, minute order ratifying the Burleson 4A Economic Development Corporation's approval of a resolution authorizing a contract for a land exchange involving 4.106 acres of land, addressed as 2100 Lakewood Drive, and being part of Lot 1, Block 2, Hooper Business Park and 4.267 acres

of land addressed as 9028 CR 1019, Burleson, Texas. (Staff Contact: Tony D. McIlwain, Development Services Director)

Motion made by Phil Anderson and seconded by Alexa Boedeker to approve the consent agenda.

Motion passed 7-0.

- C. CSO#6278-09-2026, Cooperative Purchasing Agreement with Sames Auto Group through TIPS Cooperative (Contract # 240901) for the purchase of five replacement vehicles in the amount of \$414,686.89. (Staff Contact: Tray Gee, Fleet Superintendent)**

Motion made by Phil Anderson and seconded by Alexa Boedeker to approve the consent agenda.

Motion passed 7-0.

- D. CSO#6279-09-2026, resolution ratifying the appointments of chairpersons and vice-chairpersons of the City of Burleson Boards, Commissions, and Committees. (Staff Contact: Lisandra Leal, Assistant City Secretary)**

Motion made by Phil Anderson and seconded by Alexa Boedeker to approve the consent agenda.

Motion passed 7-0.

- E. CSO#6280-09-2026, ordinance approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2026 rate review mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attachment establishing a benchmark for pensions and retiree medical benefits; requiring the company to reimburse ACSCs reasonable ratemaking expenses. (Final Reading) (Staff Contact: Matt Ribitzki, Sr. Deputy City Attorney/Director of Legal Services)**

Motion made by Phil Anderson and seconded by Alexa Boedeker to approve the consent agenda.

Motion passed 7-0.

- F. CSO#6281-09-2026, valet services agreement with Elite Valet Services in the amount of \$63,000. (Staff Contact: Alex Philips, Director of Economic Development)**

Motion made by Phil Anderson and seconded by Alexa Boedeker to approve the consent agenda.

Motion passed 7-0.

6. DEVELOPMENT APPLICATIONS

- A. CSO#6282-09-2026, ordinance change request on approximately 1.793 acres of land from A, Agriculture district to C, Commercial district located at 1540 E Renfro Street (ZC26-009). (First and Final Reading) (Staff Contact: Tony McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval 7-0)**

Tony McIlwain, Development Services Director, presented a request from Cynthia Rivera with Manley's Boiler Holdings to change the zoning of the property located at 1540 East Renfro Street from Agricultural to Commercial. He stated the request is consistent with the Comprehensive Plan, which designates the area for future Community Commercial use. Mr. McIlwain reviewed the concept plan and proposed building and noted that no architectural guidelines or standards apply to the property.

There were no questions from council.

Mayor Fletcher opened the public hearing. **Time: 5:41 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 5:42 p.m.**

Motion made by Adam Russell and seconded by Victoria Johnson to approve.

Motion passed 7-0.

- B. CSO#6283-09-2026, resolution for variances to Chapter 63; Sign Regulations, relating to the location of a monument that is taller and larger than allowed for Crunch Fitness located at 1551 Greenridge Drive, Crunch Fitness (VAR26-013). (Staff Contact: Tony D. McIlwain, AICP, CFM, Development Services Director) (No Planning and Zoning Commission action was required for this item)**

Tony McIlwain, Development Services Director, presented a request from Katherine Moltz and Doug Florance for approval of a resolution granting three sign variances under Chapter 63, including a reduced 30-inch setback from the right-of-way, a 189-square-foot sign face, and a height of approximately 29 feet. The code requires a 10-foot setback, a maximum 150-square-foot area for multi-tenant signs, and a maximum height of 12 feet. Staff did not support the request, citing concerns regarding the sign's proximity to the right-of-way and potential future traffic or pedestrian conflicts. The

item was not considered by the Planning and Zoning Commission and did not require a public hearing.

Debbie Moltz, spoke in support of the request and noted that other signs in the area are located close to parking lot curbs and stated that she did not observe traffic hazards along the street.

Lawrence Wilson, of Venture Commercial Real Estate spoke in support of the request and provided background on the project. He emphasized the importance of visibility and signage for the success of retail tenants and stated that the additional retail space is currently in the pre-leasing phase.

Council discussed the purpose and location of the proposed sign, the need for visibility for the retail development, and the significant differences between the proposed sign and the requirements of Chapter 63. Staff explained that complying with the 10-foot setback would require moving the sign farther into the property, potentially across an internal access drive and into a parking area. Council members expressed concerns primarily with the proposed height and size of the sign and the precedent that approving substantial variances could establish, while also acknowledging the importance of visibility to the development. Staff noted that previous discussions and an alternative easement arrangement had been explored but were not ultimately feasible. Council indicated support for working with the applicants to identify a location or design that complies with the ordinance.

Motion made by Larry Scott and seconded by Dan McClendon to deny.

Motion to deny passed 7-0.

C. Ordinance amending the text of the city's zoning ordinance codified in Appendix B of the City of Burleson Code of Ordinances. (First Reading) (Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)

Tony McIlwain, Development Services Director, presented proposed amendments to the city's zoning code, including new definitions; site orientation standards for auto laundry/car washes; updated Planned Development zoning criteria; distinctions for vertical, horizontal, and walkable mixed-use developments; and regulations for accessory dwelling units (ADUs). The proposed car wash standards would orient tunnels parallel to the parkway or adjacent street and locate vacuum and cleaning areas to the rear of the primary structure. ADUs would be permitted in specified residential and other zoning districts, subject to requirements including owner occupancy, one dedicated parking space, and a 900-square-foot maximum. Staff also reviewed feedback from the Planning and Zoning Commission and a developer roundtable. Based on that feedback, proposed changes regarding garage placement in single-family districts and combining the MF-1 and MF-2 districts were not included. Staff further discussed the impact of Senate Bill 929 and recommended a conservative

approach to applying new zoning standards to existing properties, with existing districts potentially becoming legacy districts and new zoning districts applying primarily to future rezonings and annexations.

Council discussed the proposed MF-18 multifamily district and the developer community's concerns that combining MF-1 and MF-2 would limit development options and establish a density cap. Staff explained that the proposed MF-18 density was based on combining and averaging the existing district densities, while noting that MF-2 currently allows up to 24 units per acre. Council expressed a preference to retain the existing MF-1 and MF-2 districts rather than eliminate MF-2.

Mayor Fletcher opened the public hearing. **Time: 6:09 p.m.**

No speakers.

Mayor Fletcher closed the public hearing. **Time: 6:10 p.m.**

Motion made by Adam Russell and seconded by Alexa Boedeker to approve.

Motion passed 7-0.

7. GENERAL

- A. CSO#6284-09-2026, Consider and take possible action on a minute order appointing members to the City of Burleson boards, commissions, and committees for October 1, 2026 – September 30, 2029, terms and filling vacancies. (Staff Contact: Lisandra Leal, Assistant City Secretary)**

Lisandra Leal, Assistant City Secretary, presented the 2026-2029 term board, commissions and committee appointments.

Advisory Committee on People with Disabilities			
Place	Members	Appt.	Term
2 (Ord. Sec 2-36c)	Jordan Smelley	Partial Term	2024-2027
9 (Youth – non student voting member)	Beverly Moore	Appoint	2026-2027

Animal Shelter Advisory Committee			
Place	Members	Appt	Term
4 (Youth – non student voting member)	Faviola Carinci	Appoint	2026-2027
5 (Animal Welfare Representative)	Donna Riggs	Partial Term	2025-2028

Capital Improvement Program Advisory Committee			
Place	Members	Appt	Term

6	Morris Hairell, Jr.	Partial Term	2024-2027
7 – Real Estate	Payton L. Byrd	Partial Term	2025-2028

Library Board			
Place	Members	Appt	Term
2 (Youth)	Madison Kahan	Reappoint	2026-2027
3	Jennifer Yarbrough	Partial Term	2025-2028

Old Town Design Standards Review Committee			
Place	Members	Appt	Term
2 (Youth)	Jessica Shrauner	Reappoint	2026-2027

Parks and Recreation Board			
Place	Members	Appt	Term
2 (Youth)	Addison Oscarson	Reappoint	2026-2027
5	Lori Pouncy	Partial Term	2025-2026

Planning and Zoning Commission			
Place	Members	Appt	Term
8 (Youth ex-officio)	Vacant	Partial Term	2025-2026

Public Spaces and Cultural Heritage Board			
Place	Members	Appt	Term
1	Joy Larabell	Partial Term	2025-2028
4 (Youth) (non-student voting member)	Naomi Jaramillo	Appoint	2026-2027

Burleson Type B Community Service Corporation			
Place	Members	Appt	Term
4	Dan McClendon	Reappoint	2026-2028
5	Beverly Moore	Appoint	2026-2028

Council encouraged youth members to apply and serve on city boards, commissions and committees.

Motion made by Victoria Johnson and seconded by Alexa Boedeker to approve.

Motion passed 7-0.

8. REPORTS AND PRESENTATIONS

- A. Receive a report, hold a discussion, and provide staff feedback regarding the City's Capital Improvement Program. (Staff Contact: Randy Morrison, P.E., Director of Capital Engineering)**

Randy Morrison, Director of Capital Engineering provided an update on the City's Capital Improvement Program (CIP), including the FY 2026 fund summary and recently adopted FY 2027–2031 CIP. He reviewed the City's 48 active projects, with the majority involving streets and sidewalks, followed by water and sewer improvements. He highlighted projects in design, right-of-way acquisition, construction, and recently completed projects, including roadway, pedestrian, utility, drainage, park, and facility improvements. He also provided updates on regional projects being managed by TxDOT and other agencies, including the FM 917/I-35 interchange reconstruction, SH 174/Wilshire Boulevard widening, and FM 731 bridge replacement. Various project schedules, construction progress, funding, utility coordination, right-of-way needs, and anticipated completion dates were discussed.

Council discussed anticipated construction impacts associated with the FM 917/I-35 interchange and SH 174 widening projects, including traffic changes and communication with TxDOT. Council also raised concerns regarding traffic congestion near Hillside Drive and John Jones Road and requested consideration of a right-turn lane associated with a new bank development; Mr. Morrison stated he would coordinate with Development Services and follow up.

B. Receive a report, hold a discussion, and provide staff direction regarding the 90th Texas Legislative session and the City's legislative program. (Staff Contact: Janalea Hembree, Director of Strategy and Innovation)

Janalea Hembree, Director of Strategy and Innovation, provided an overview of the upcoming 90th Texas Legislative Session, including key dates, legislative priorities, and the city's proposed approach to monitoring legislation. She noted that bill prefilming begins November 9, 2026, the regular session convenes January 12, 2027, and concludes May 31, 2027, with most legislation taking effect September 1, 2027. Some hot topics continue to be property taxes, local control, municipal authority, stormwater and flood mitigation, public education, school taxes, and school choice. City staff will monitor legislation affecting home-rule authority, economic development and Chapter 380 authority, infrastructure and grant funding, unfunded mandates, public finances, water rates, development fees, short-term rentals, TMRS, labor issues, and other matters affecting municipal operations. The City's legislative policy generally calls for opposing legislation that is detrimental to the City's strategic goals or limits home-rule authority. She also reviewed the City's legislative activity during the 89th Session and noted that Council previously identified the qualified hotel project bill as a legislative initiative.

Amanda Campos, City Secretary, discussed the Texas Municipal League (TML) legislative process regarding data center regulation, noting that TML has formed a subcommittee to develop an appropriate definition that considers factors beyond energy and water usage, as some data centers may have a small footprint or building size.

Council discussed priorities for the upcoming session and confirmed the qualified hotel project bill as the city's primary legislative initiative, with staff recommending that the city focus on one bill for active legislative advocacy. Council indicated a willingness to travel to Austin to support legislative initiatives as needed. Staff noted that the city does not currently have a contract with Focus Advocacy and will therefore work directly with the city's legislative representatives. Council agreed for staff to monitor potential legislation concerning property taxes, public works employees being identified as first responders, data center regulation, extraterritorial jurisdiction (ETJ) regulations, and proposed requirements involving a two-thirds vote, with additional priorities to be added as legislation is filed. Ms. Hembree added that legislative priorities may be modified throughout the session as bills are introduced and their potential impacts become clearer

9. CITY COUNCIL REQUEST FOR FUTURE AGENDA ITEMS AND REPORTS

- None.

10. RECESS INTO EXECUTIVE SESSION

In accordance with Chapter 551 of the Texas Government Code, the City Council may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda. The City Council may reconvene into open session and take action on posted items.

A. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code

- Deliberation regarding a deed between the City and Shannon Creek Apartments LLC and Shannon Creek Apartments II LLC for approximately 9.737 acres of land in Johnson County, Texas
- Deliberation regarding possible parkland dedication on property near 454 E Renfro St in Johnson County, Texas

B. Discussion regarding possible purchase, exchange, lease, or value of real property pursuant to Section 551.072, Texas Government Code

- Deliberation regarding the purchase, exchange, lease, or value of real property in Johnson County for park purposes to serve existing and new development in the City where deliberation in open session would have a detrimental effect on the position of negotiations with third parties
- Deliberation regarding the purchase, exchange, lease, or value of real property in Johnson County for sanitary sewer purposes to serve existing and new development in the City where deliberation in open session would have a detrimental effect on the position of negotiations with third parties

C. Deliberation regarding commercial or financial information received from or the offer of a financial or other incentive made to a business prospect seeking to locate, stay or expand in or near the territory of the City and with which the City

is conducting economic development negotiations pursuant to Section 551.087, Texas Government Code

- Project Street

Mayor Fletcher announced that the Council would convene into Executive Session.

Time: 7:04 p.m.

Mayor Fletcher announced that the Council would reconvene into open session.

Time: 7:22 p.m.

11. ADJOURNMENT

Motion made by Alexa Boedeker and seconded by Dan McClendon to adjourn.

Motion passed 7-0.

Mayor Chris Fletcher adjourned the meeting.

Time: 7:22 p.m.

Monica Solko
Deputy City Secretary

City Council Regular Meeting

DEPARTMENT: Community Services
FROM: Sara Miller, Deputy Director-Library
MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on a contract with the Texas State Library and Archives Commission (TSLAC) for Texas Reads grant number TXR-27002 in the amount of \$9,021.
(Staff Contact: Sara Miller, Deputy Director-Library)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Great Place to Live Through Expanded Quality of Life Amenities	4.2 Provide high-quality recreation opportunities, events and facilities for residents 4.3 Provide outstanding cultural, educational and entertainment opportunities

SUMMARY:

The Burleson Public Library has been awarded a \$9,021 Texas Reads grant from the Texas State Library and Archives Commission. The source of funds is the Institute of Museum and Library Services (IMLS) 45.310 Grants to States, Federal Award Identification #:LS-260847-OLS-26. This grant will provide funding to replace the wooden StoryWalk® behind the library with new, durable, weather-resistant metal StoryWalk® fixtures.

RECOMMENDATION:

Approve a contract with the Texas State Library and Archives Commission (TSLAC) for Texas Reads grant number TXR-27002 in the amount of \$9,021.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

At the September 8, 2026 City Council meeting, a budget modification recommendation was presented as part of the FY 2027 budget presentation. \$9,021 in revenues and expenditures for

FY 2027 in Other Funds were proposed to match the amount of federal (Institute of Museum and Library Services) funds awarded.

REFERENCE:

FISCAL IMPACT:

Proposed Expenditure/Revenue: \$9,021

STAFF CONTACT:

Sara Miller
Deputy Director-Library
smiller@burlesontx.com
817-426-9203



Texas Reads Grant

PRESENTED TO THE CITY COUNCIL – OCTOBER 5, 2026

SARA MILLER, DEPUTY DIRECTOR-LIBRARY

Library Grant Awarded

The Burleson Public Library has been awarded a \$9,021 Texas Reads Grant from the Texas State Library and Archives Commission.

Source of funds:

- Institute of Museum and Library Services (IMLS)
- 45.310 Grants to States
- Federal Award Identification #: LS-260847-OLS-26
- Federal Award Date: March 25, 2026

StoryWalk®

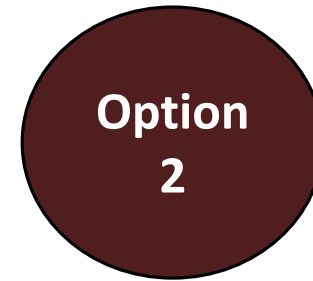
This grant will provide funding to replace the well-loved wooden StoryWalk® behind the library with new, durable, weather-resistant metal StoryWalk® fixtures.

Our StoryWalk® has become a favorite destination for families, combining reading, movement, and outdoor exploration in the library garden. The new fixtures will help ensure that children and caregivers can continue enjoying stories together for many years to come.





Approve



Deny



Questions / Comments

Sara Miller
Deputy Director-Library
smiller@burlesontx.com
817-426-9203

City Council Regular Meeting

DEPARTMENT: Parks and Recreation
FROM: Eric Oscarson, Deputy City Manager
MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on a minute order authorizing the purchase of merchandise with Titleist Golf for Hidden Creek Golf Course in the amount of \$125,000. (*Staff Contact: Eric Oscarson, Deputy City Manager*)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Great Place to Live Through Expanded Quality of Life Amenities	4.2 Provide high-quality recreation opportunities, events and facilities for residents

SUMMARY:

Hidden Creek Golf Course Pro Shop sells various retail merchandise to patrons of the Golf Course. Titleist Golf is the largest manufacturer of golf goods and provides Titleist merchandise directly. Staff anticipates purchasing over the \$100,000 threshold with the vendor and is requesting authorization to purchase up to \$125,000 in merchandise. Section 252.022 of the government code exempts goods purchased by a municipality for retail sales by the agency.

RECOMMENDATION:

Staff recommends approval.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

REFERENCE: N/A

FISCAL IMPACT:

Proposed Expenditure/Revenue:\$125,000
Account Number(s): 5307302-66060
Fund: Hidden Creek Golf Fund
Account Description: Cost of Sale
Procurement Method:

STAFF CONTACT:

Eric Oscarson
Deputy City Manager
eoscarson@burlesontx.com
817-426-9837



Hidden Creek Golf Course Pro Shop Purchasing

City Council Presentation: October 5, 2026

Staff Presenter: Eric Oscarson, Deputy City Manager

Background



- **Hidden Creek Golf Course Pro Shop purchases merchandise from specific vendors for retail**
 - Section 252.022 of the government code exempts goods purchased by a municipality for retail sale by agency
- **Sales continue to keep pace with record levels of last year and we anticipate exceeding the \$100,000 threshold to ensure that we have enough inventory through the year**

Appropriations

- **Titleist Golf is the overall number one brand in golf balls and number two in club sales**
- **Purchases for the fiscal year will be dependent on sales**
- **Hidden Creek is asking for authorization to purchase retail goods in the amount of \$125,000**

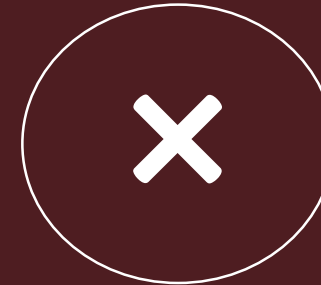


Options

Staff Recommendation



Recommend authorizing staff to purchase
from Titleist Golf in the amount of \$125,000



Do not proceed with authorization

City Council Regular Meeting

DEPARTMENT: Parks and Recreation
FROM: Eric Oscarson, Deputy City Manager
MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on a minute order authorizing the purchase of food for resale with Ben E Keith Foods at Hidden Creek Golf Course in the amount of \$125,000. (Staff Contact: Eric Oscarson, Deputy City Manager)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Great Place to Live Through Expanded Quality of Life Amenities	4.2 Provide high-quality recreation opportunities, events and facilities for residents

SUMMARY:

Hidden Creek Golf Course Pro Shop sells various food items to patrons of the Golf Course. Ben E Keith Foods is our current provider. Staff anticipates purchasing over the \$100,000 threshold with the vendor and is requesting authorization to purchase up to \$125,000 in food items. Section 252.022 of the government code exempts goods purchased by a municipality for retail sales by the agency.

RECOMMENDATION:

Staff recommends approval.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

REFERENCE: N/A

FISCAL IMPACT:

Proposed Expenditure/Revenue:\$125,000
Account Number(s): 5307304-66060
Fund: Hidden Creek Golf Fund
Account Description: Cost of Sale
Procurement Method:

STAFF CONTACT:

Eric Oscarson
Deputy City Manager
eoscarson@burlesontx.com
817-426-9837



Hidden Creek Golf Course Food Purchasing

City Council Presentation: October 5, 2026

Staff Presenter: Eric Oscarson, Deputy City Manager

Background



- **Hidden Creek Golf Course “The Terrace” purchases food for resale from Ben E Keith Foods**
 - Section 252.022 of the government code exempts goods purchased by a municipality for retail sale by agency
- **Sales continue to keep pace with record levels of last year and we anticipate exceeding the \$100,000 threshold to ensure that we have enough food through the year**

Appropriations

- **Ben E Keith Foods is our current provider**
- **Purchases for year are expected to exceed \$100,000**
- **Hidden Creek is asking for authorization to purchase food goods in the amount of \$125,000**

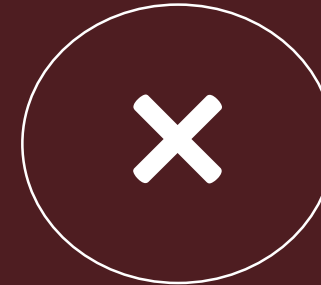


Options

Staff Recommendation



Recommend authorizing staff to purchase
from Ben E Keith Foods in the amount of \$125,000



Do not proceed with authorization

City Council Regular Meeting

DEPARTMENT: Parks and Recreation
FROM: Eric Oscarson, Deputy City Manager
MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on a minute order authorizing Fiscal Year 2026–2027 expenditures under the Facility Management Agreement with Sports Facilities Companies, LLC (CSO#5948-10-2025), including \$479,608 for goods purchased for subsequent retail sale pursuant to Texas Local Government Code § 252.022(a)(14) and \$1,115,463 for salaries and wages. *(Staff Contact: Eric Oscarson, Deputy City Manager)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Great Place to Live Through Expanded Quality of Life Amenities	4.2 Provide high-quality recreation opportunities, events and facilities for residents

SUMMARY:

The City Council approved a five-year Facility Management Agreement with Sports Facilities Companies, LLC (SFM) for the daily operation and management of Chisenhall Fields Sports Complex. Under the agreement, the City is responsible for funding the approved costs associated with operating the complex, including employee salaries and benefits, management fees, operating expenses, performance incentives, sponsorship and advertising compensation, reimbursable expenses, and goods purchased for resale. Purchases of goods for subsequent retail sale will be made pursuant to the procurement exemption provided by Texas Local Government Code § 252.022(a)(14). This item authorizes the City's anticipated Fiscal Year 2026–2027 expenditures in each applicable category, in the amounts identified below.

Salaries and Wages: \$1,115,463

Food and Beverage: \$479,608

RECOMMENDATION:

Approval

PRIOR ACTION/INPUT (Council, Boards, Citizens):

October 6, 2025 – City Council authorized a 5-Year contract with SFM

REFERENCE:

CSO#5948-10-2025

FISCAL IMPACT:

Proposed Expenditure: \$1,595,071

Account Number(s):

Fund: Chisenhall

STAFF CONTACT:

Eric Oscarson

Deputy City Manager

eoscarson@burlesontx.com

817-426-9837

SFC AUTHORIZATION TO SPEND

CITY COUNCIL, OCTOBER 5, 2026
STAFF CONTACT: ERIC OSCARSON, DEPUTY CITY MANAGER

Scope of Services

Council approved the contract with SFC to manage Chisenhall on October 6, 2026.

- Day-to-day operation and management of the complex.
- Staffing, scheduling, marketing, promotion, concessions, food & beverage, maintenance, custodial services, landscaping, pest control, and safety compliance.
- Booking of tournaments, rentals, and events to maximize community use and economic impact.
- Financial administration, including collection and deposit of revenues, paying operating expenses, and maintaining point-of-sale systems.
- Maintenance of equipment, grounds, and infrastructure to city standards.
- Compliance with City policies.

	FY 2025 Actual	FY 2026 Adopted	FY 2026 Revised	FY 2026 Year-End Estimate	FY 2027 Projected	FY 2028 Projected	FY 2029 Projected	FY 2030 Projected	FY 2031 Projected
Beginning Fund Balance	-	-	-	-	-	-	-	-	-
Revenue									
Rentals	-	-	635,413	545,360	820,300	902,330	947,447	994,819	1,044,560
Athletic Leagues	-	-	-	20,458	88,600	97,460	102,333	107,450	112,822
Food & Beverage	-	-	777,562	956,797	1,088,733	1,197,606	1,257,487	1,320,361	1,386,379
Misc Revenue	-	-	80,000	67,724	-	-	-	-	-
Transfer In	-	-	-	634,837	313,421	185,600	153,755	119,465	82,584
Total Revenue	-	-	1,492,975	2,225,176	2,311,054	2,382,996	2,461,022	2,542,095	2,626,345
Expenditures									
Operating Expenditures			1,374,773	1,271,644	1,805,446	1,855,427	1,907,075	1,960,450	2,015,617
Cost of Goods Sold			540,674	563,792	479,608	527,569	553,947	581,645	610,728
Start Up Costs			437,740	389,740	-	-	-	-	-
Recurring Supplementals			-	-	-	-	-	-	-
One-Time Supplementals			-	-	26,000	-	-	-	-
Total Expenditures	-	-	2,353,187	2,225,176	2,311,054	2,382,996	2,461,022	2,542,095	2,626,345
Change in Fund Balance	-	-	(860,212)	-	-	-	-	-	-
Ending Fund Balance	-	-	(860,212)	-	-	-	-	-	-
Self Sustaining Percent	0.00%	0.00%	63.44%	71.47%	86.44%	92.21%	93.75%	95.30%	96.86%
Sponsorship Income	-	-	90,000	90,000	108,000	114,000	120,000	120,000	120,000

Chisenhall Sports Complex Fund

Authorization

Expenditures:

Salaries and Wages - \$1,115,463

Food and Beverage - \$479,608

Total - \$1,595,071



Minute Order Authorization

Consider and take possible action on a minute order authorizing Fiscal Year 2026–2027 expenditures under the Facility Management Agreement with Sports Facilities Companies, LLC (CSO#5948-10-2025), including \$479,608 for goods purchased for subsequent retail sale pursuant to Texas Local Government Code § 252.022(a)(14) and \$1,115,463 for salaries and wages.





9/14/2026

Questions

City Council Regular Meeting

DEPARTMENT: Information Technology

FROM: Hugo Rodriguez, Deputy Chief Technology Officer

MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on a minute order authorizing expenditures with Dell Marketing LP under DIR (DIR-CPO-5792) for computers, monitors, and peripherals for the fiscal year 2027 computer replacement program in the amount of \$250,000. *(Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

BTX-IT's Life Cycle Management Program replaces end-user computers, monitors, and peripheral equipment every four to five years as devices reach the end of their warranties. The program ensures City staff have access to reliable, supported, and secure technology while reducing service interruptions and compatibility issues associated with outdated equipment.

For fiscal year 2027, BTX-IT requests authorization to establish a contract with Dell Technologies for a total contract amount of \$250,000. BTX-IT will make purchases through the Texas Department of Information Resources cooperative purchasing contract DIR-CPO-5792, which provides competitively procured government pricing and streamlines procurement.

Funding for this contract is included in BTX-IT's approved budget for the new fiscal year. BTX-IT will purchase equipment throughout the year based on its established replacement schedule and operational needs.

PROCUREMENT METHOD:

This purchase is being made through the Texas Department of Information Resources (DIR), contract number DIR-CPO-57920, in accordance with Texas Local Government Code Chapter 271, Subchapter F. Cooperative contracts are competitively solicited on behalf of multiple governmental entities, and the City may utilize these contracts to achieve cost savings and efficiency. Staff has confirmed that the cooperative contract was procured in compliance with applicable requirements. In addition, staff compared the proposed vendor's pricing to current market rates and concluded that the recommended vendor offers the most competitive pricing available to the City.

RECOMMENDATION:

Approve a minute order authorizing expenditures with Dell Marketing LP under DIR (DIR-CPO-57920) for computers, monitors, and peripherals for the fiscal year 2027 computer replacement program in the amount of \$250,000.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

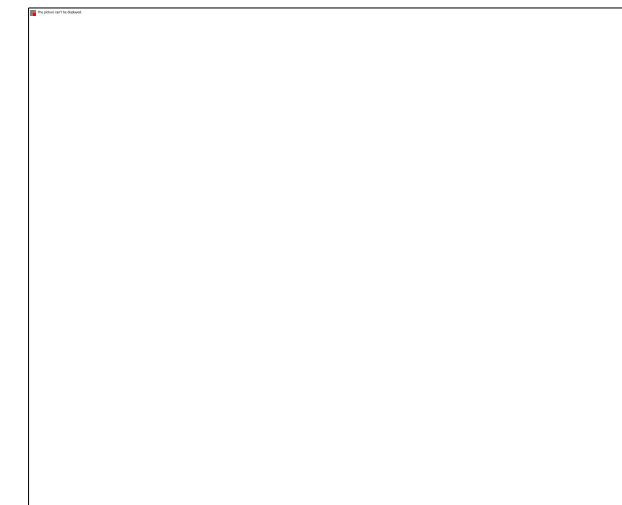
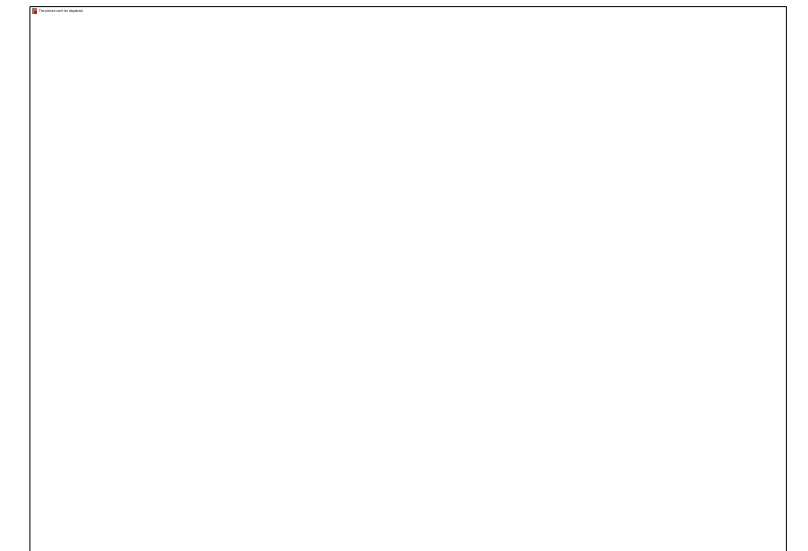
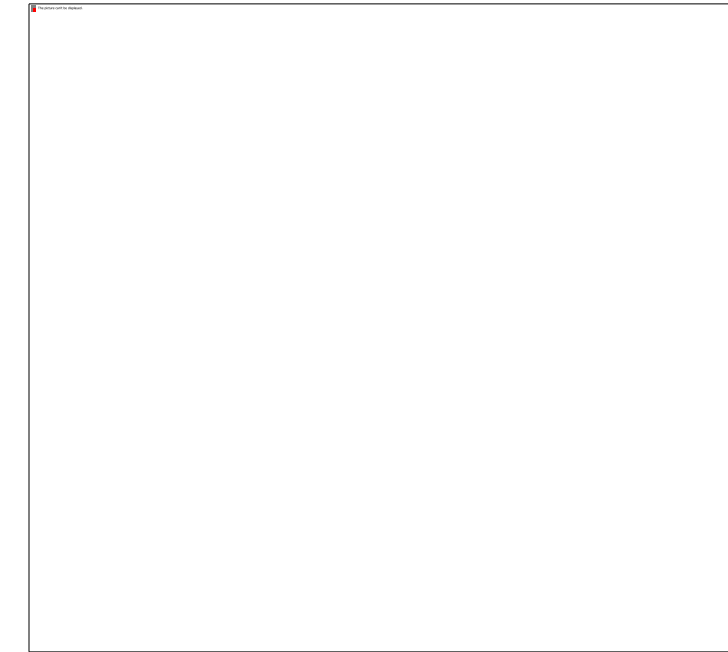
FISCAL IMPACT:

Proposed Expenditure/Revenue: \$250,000
 Account Number(s): 6108001-61515
 Fund: Support Services Fund (610)
 Account Description: Minor Computer Equipment
 Procurement Method: DIR-CPO-5792

STAFF CONTACT:

Hugo Rodriguez
 Deputy Chief Technology Officer
hrodriguez@burlesontx.com
 682-312-2766

BTX-IT's Life Cycle program



Background

BTX-IT's Life Cycle Management program replaces end-user computers, monitors, and peripheral equipment every four to five years when the warranty on the device(s) has expired.

The Life Cycle program ensures that our staff:

- Are using current technologies.
- Have parts and equipment replacement support.
- Ensure we can utilize new applications and updates as they become available.

Background

Why Dell is the Better Option

Standardization & Reliability

- Consistent, enterprise-grade equipment across the organization
- Proven track record of durability and performance in municipal environments

Support & Warranty

- Strong warranty coverage and next-business-day support
- Direct vendor relationship ensures faster issue resolution

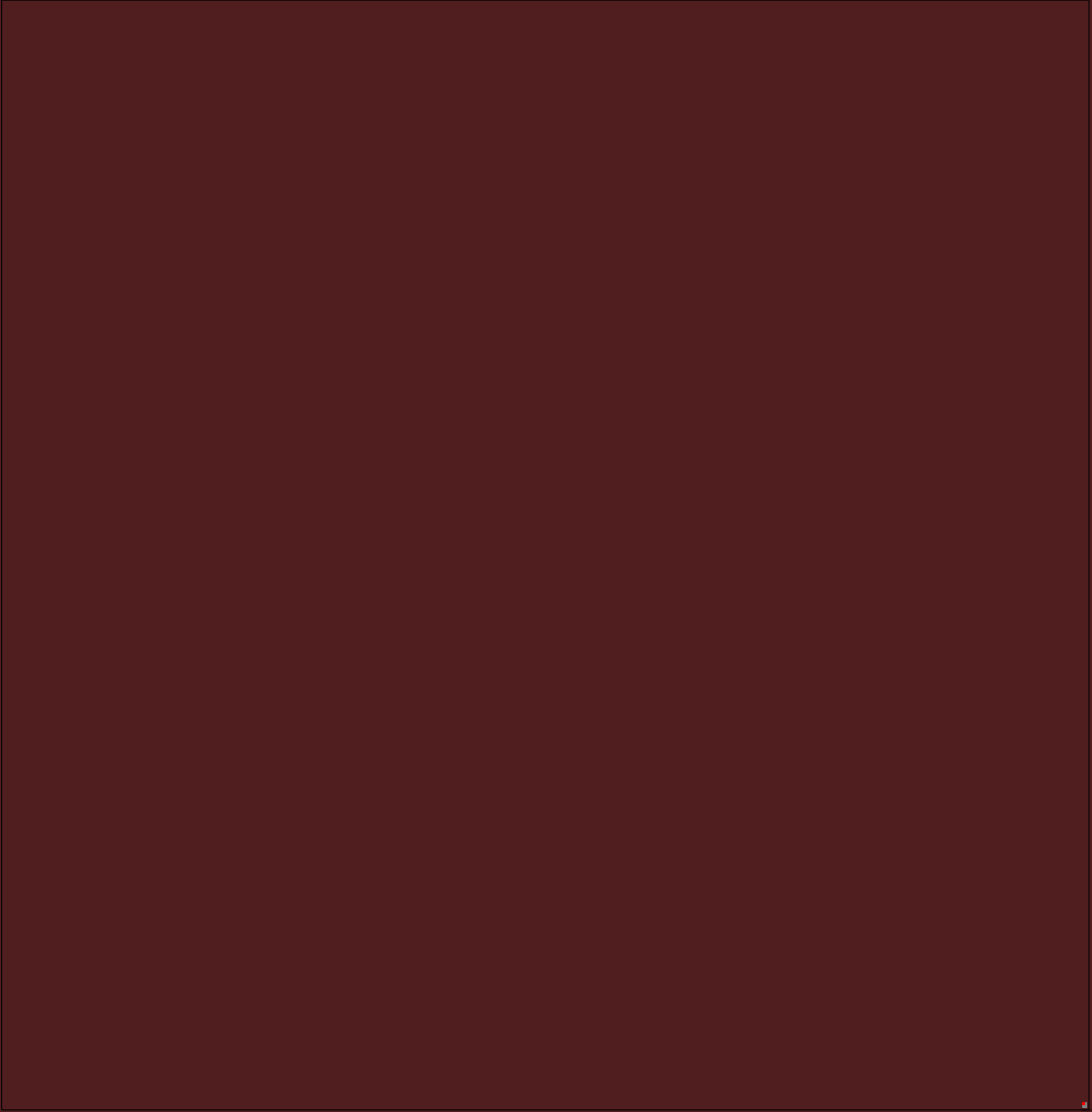
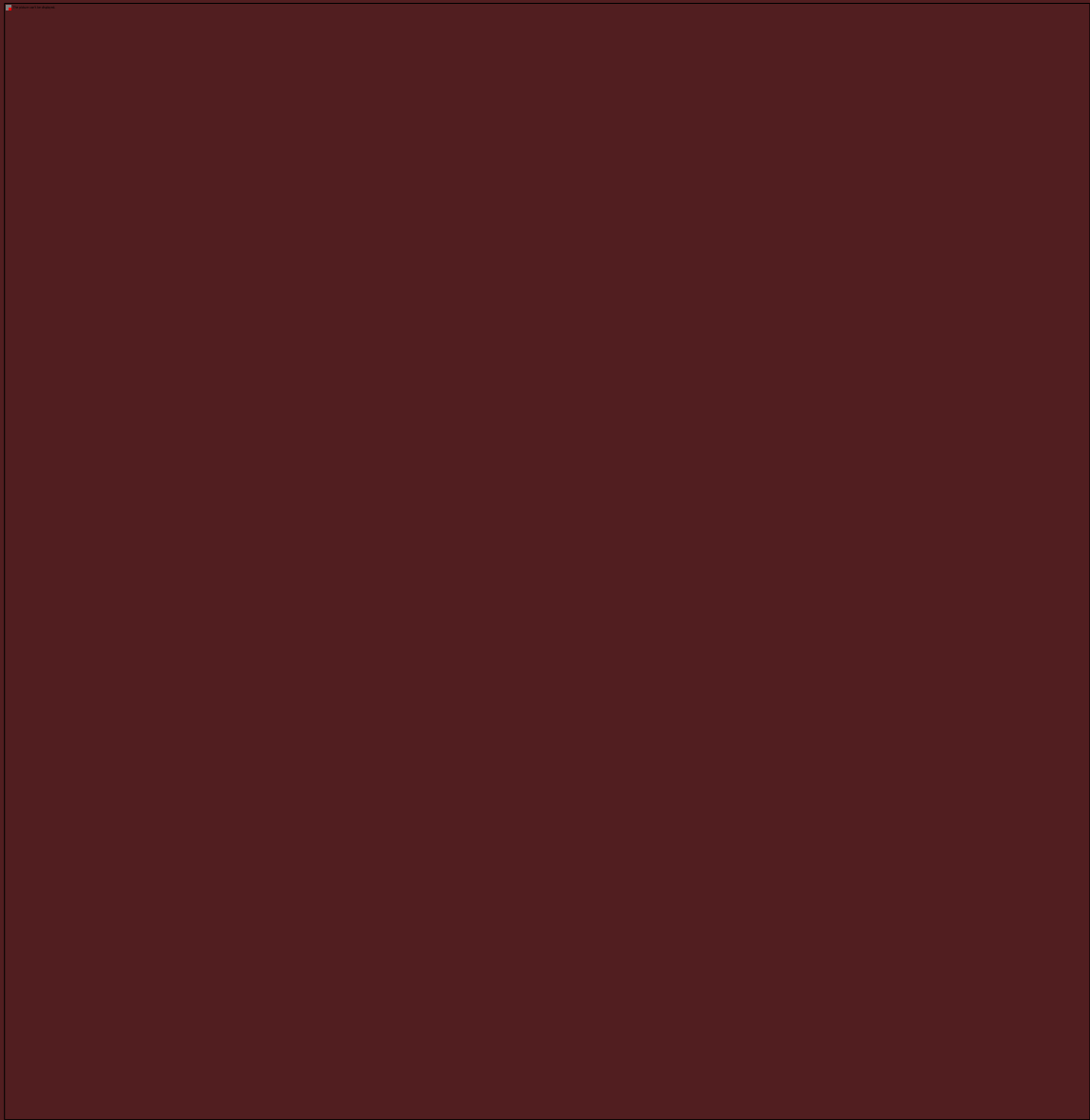
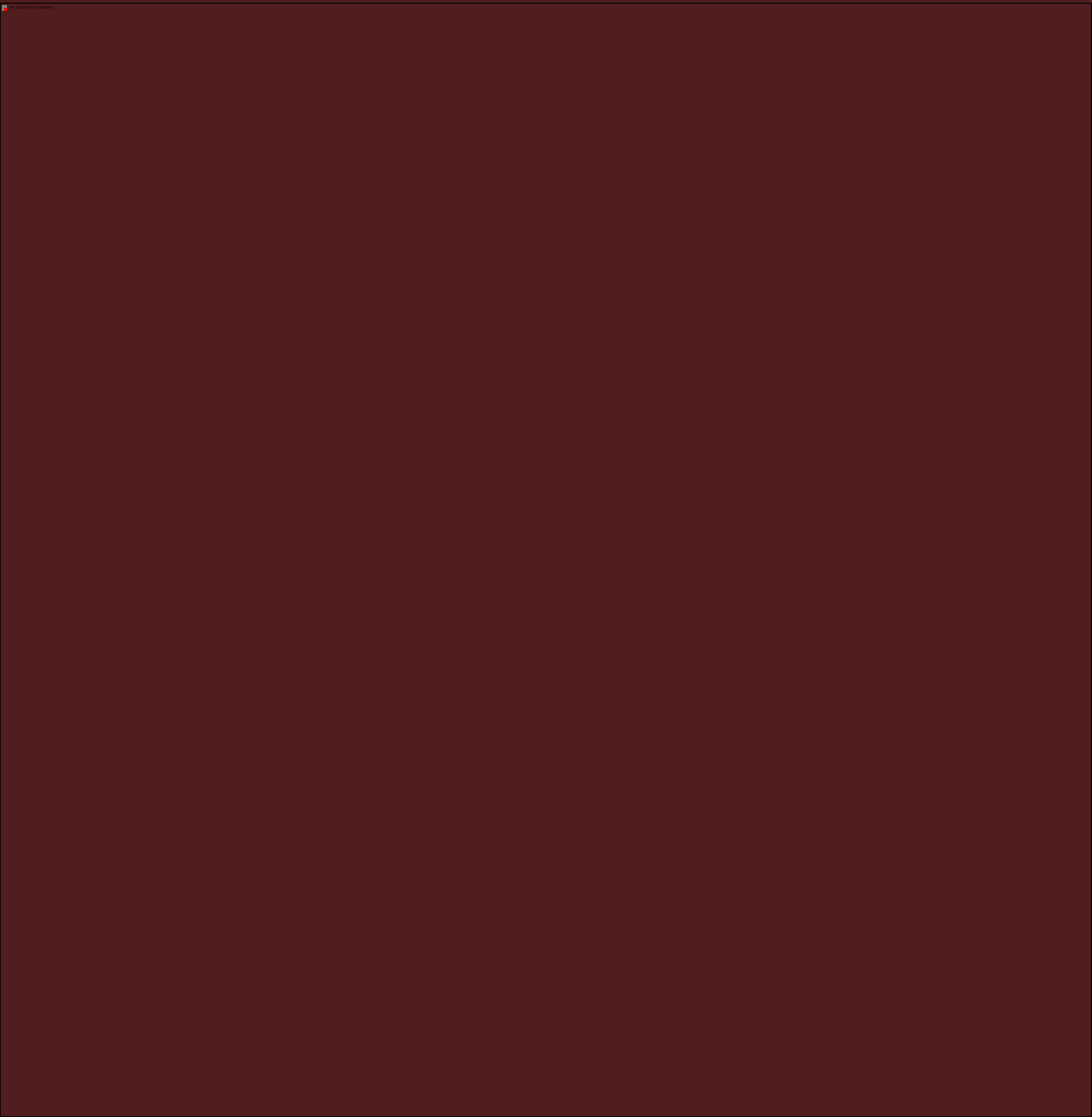
Integration & Compatibility

- Seamless integration with existing BTX-IT infrastructure
- Hardware optimized for current and future applications

BTX-IT will establish a contract with Dell to streamline the procurement process. The total amount is \$250,000 for the fiscal year under contract DIR-CPO-5792, which is budgeted annually and within the budget amount.

- Contract managed by BTX-IT
- Budgeted and within allocation
- DIR leverages the aggregated purchasing power of the State of Texas, providing state-negotiated pricing and discounts that local entities may not achieve on their own.

Approve a minute order authorizing expenditures with Dell Marketing LP under DIR (DIR-CPO-57920), for computers, monitors, and peripherals for the fiscal year 2027 computer replacement program in the amount of \$250,000.



City Council Regular Meeting

DEPARTMENT: Information Technology

FROM: Hugo Rodriguez, Deputy Chief Technology Officer

MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on a minute order with CDW Government LLC to purchase wireless access points, security cameras, monitors, and peripheral equipment, using the Cooperative Customer Agreement through OMNIA Partners, TIPS, Sourcewell, or DIR, in the amount of \$120,000. (Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

BTX-IT's Life Cycle Management Program keeps the City's technology infrastructure secure, reliable, and current by upgrading or replacing wireless access points, security cameras, monitors, and peripheral equipment based on operational needs and each asset's useful life. For fiscal year 2027, BTX-IT is requesting an annual contract with CDW Government, LLC, for a total contract amount of \$120,000. This contract will support scheduled and needs-based replacements, strengthen security, maintain service performance, and ensure continued access to equipment support, replacement parts, and current technology.

Purchases will be made through eligible cooperative purchasing agreements, including TIPS, DIR, Sourcewell, or OMNIA Partners. BTX-IT will select the cooperative agreement that provides the most cost-effective pricing for each transaction. This purchasing method provides competitively procured pricing, ensures compliance with applicable purchasing requirements, reduces administrative workload, and supports timely equipment replacement.

Funding for the contract is included in BTX-IT's approved fiscal year 2027 departmental budget and is within the amount allocated for the Life Cycle Management Program.

PROCUREMENT METHOD:

This purchase is being made through an approved cooperative purchasing contract, which may include OMNIA Partners, TIPS, Sourcewell, or the Texas Department of Information Resources (DIR), in accordance with Texas Local Government Code Chapter 271, Subchapter F. Cooperative contracts are competitively solicited on behalf of multiple governmental entities, and the City may utilize these contracts to achieve cost savings and efficiency. Staff has confirmed that the cooperative contract was procured in compliance with applicable requirements. In addition, staff plans to compare the proposed vendor's pricing with other available cooperative contracts, interlocal agreements, and/or prevailing market rates, to ensure the recommended vendor offers best value to the City.

RECOMMENDATION:

Approve a minute order with CDW Government LLC to purchase wireless access points, security cameras, monitors, and peripheral equipment, using the Cooperative Customer Agreement through OMNIA Partners, TIPS, Sourcewell, or DIR, in the amount of \$120,000.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

Proposed Expenditure/Revenue: \$120,000
 Account Number(s): 6108001-63505
 Fund: Support Services Fund (610)
 Account Description: Computer Hardware M&R
 Procurement Method: OMNIA Partners, TIPS, Sourcewell, or DIR

STAFF CONTACT:

Hugo Rodriguez
 Deputy Chief Technology Officer
hrodriguez@burlesontx.com
 682-312-2766

CDW Government LLC Contract



Background

BTX-IT's Life Cycle Management program adds or replaces wireless access points, security cameras, monitors, and peripheral equipment on a varied lifecycle replacement timeline to improve our service offering.

The Life Cycle program ensures that our staff:

- Are using current technologies.
- Have parts and equipment replacement support.
- Ensure that we are taking advantage of new features and security enhancements provided by the new equipment.

Background

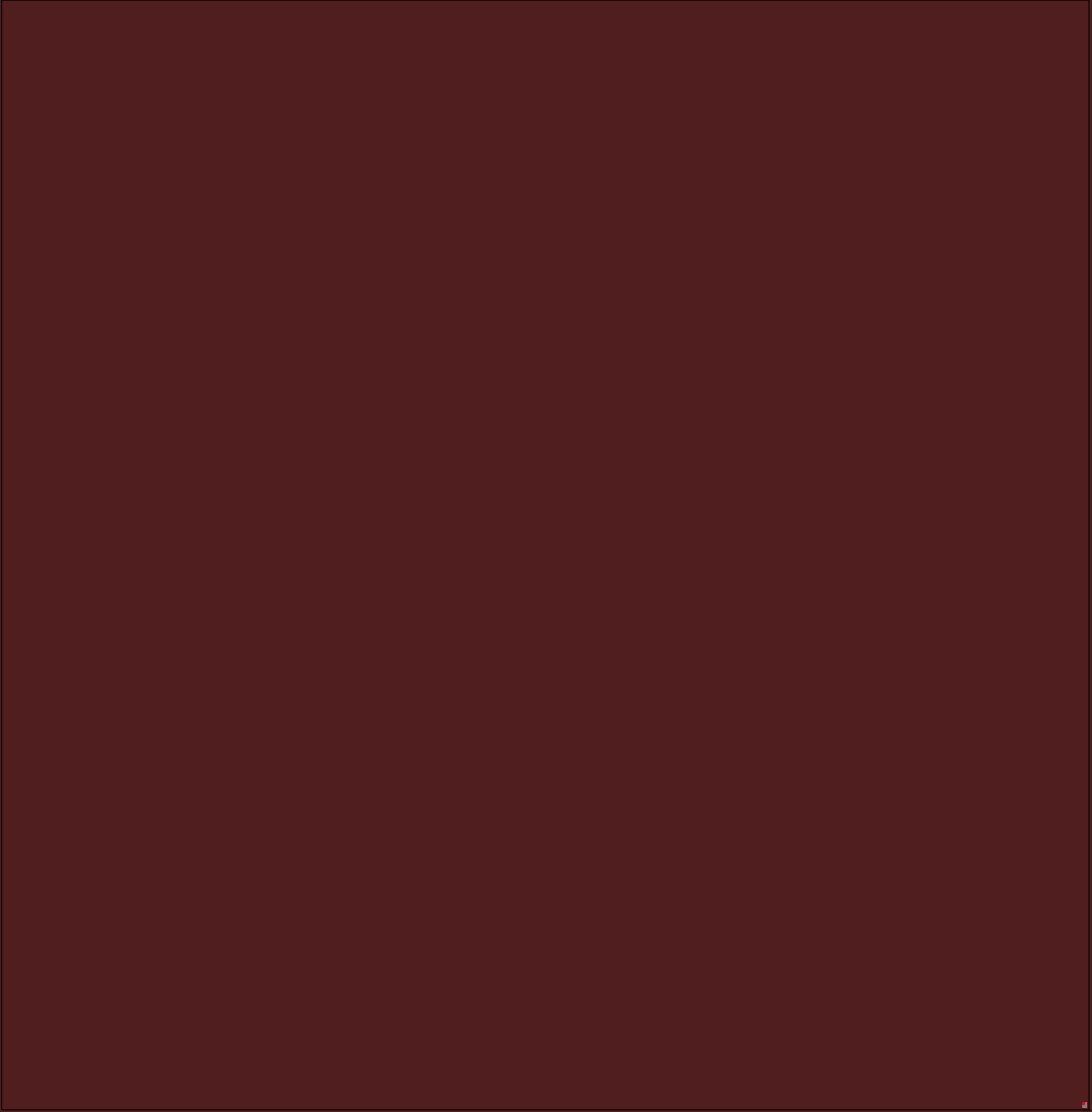
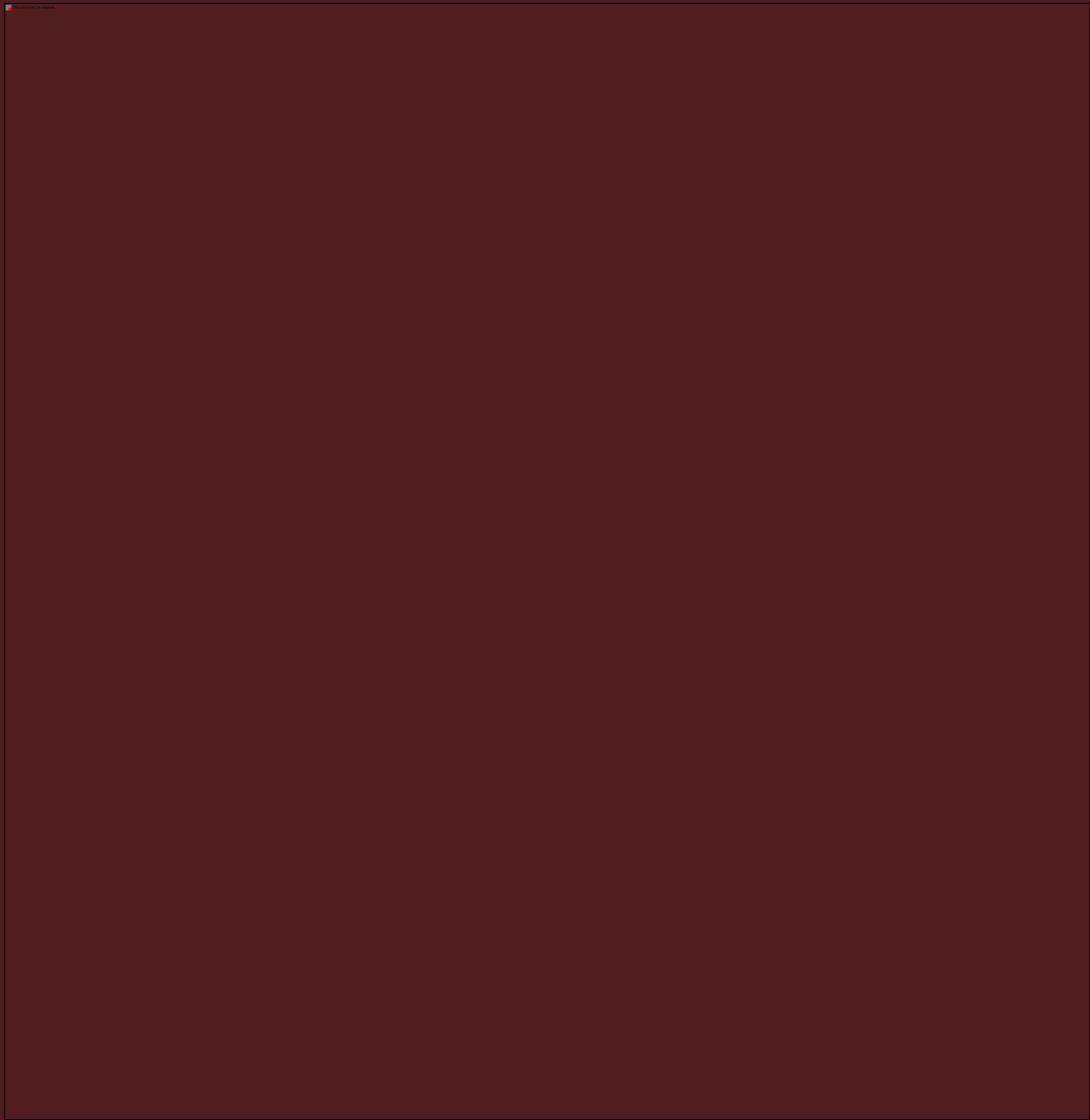
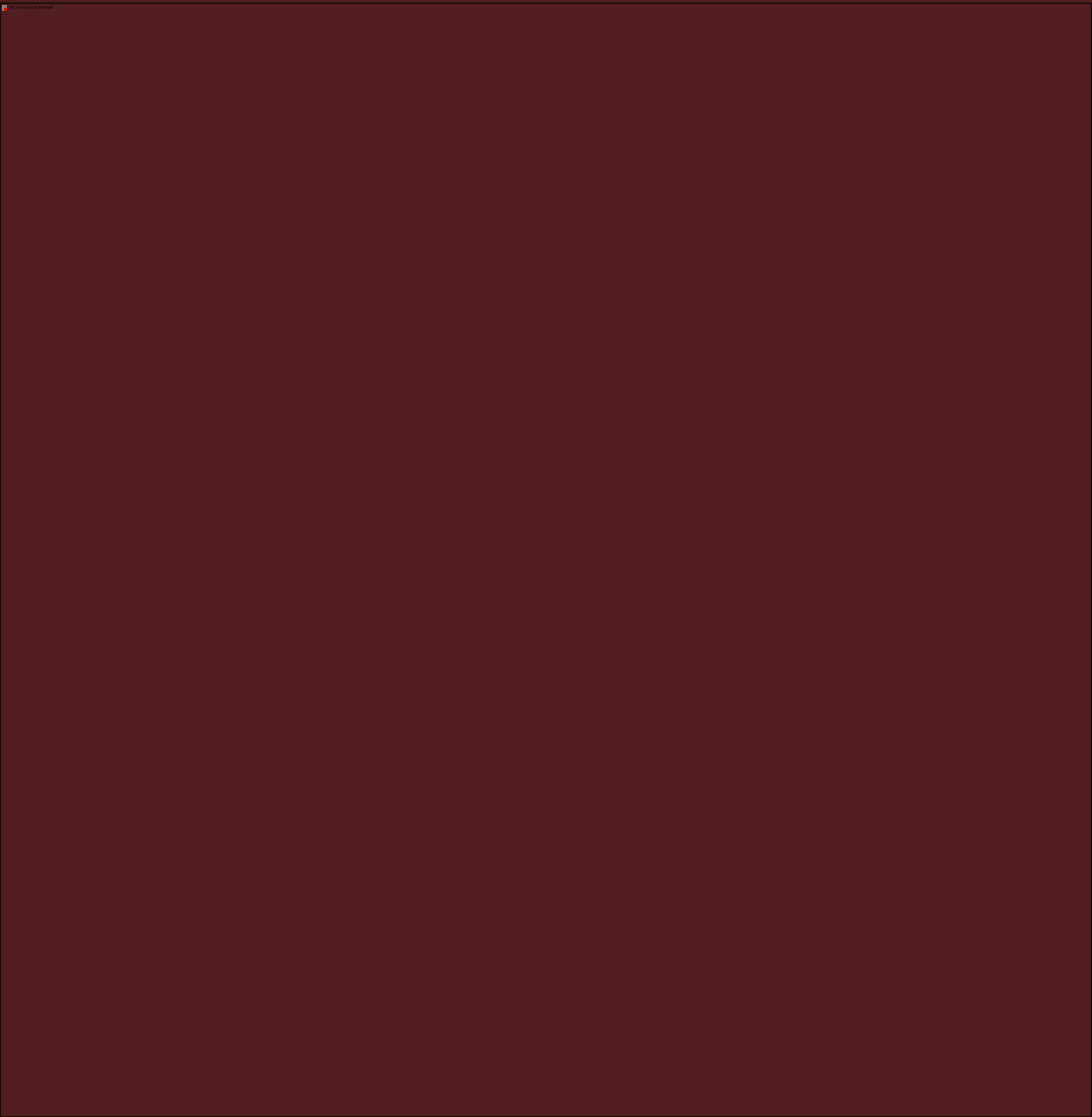
CDW-G partners with multiple cooperative purchasing networks—**TIPS, DIR, Sourcewell, and OMNIA Partners**—to streamline procurement and secure the **best possible pricing** for technology purchases.

- Cooperative contracts are pre-bid and pre-negotiated
- BTX-IT will select the most cost-effective agreement for each order.
- The process reduces time, paperwork, and administrative burden.
- Ensures contract compliance and transparent pricing for every purchase.

- BTX-IT will establish a \$120,000 contract with CDW Government LLC for fiscal year 2027.
- Leveraging these agreements ensures competitive pricing and compliance with procurement regulations. Though it's one contract with CDW-G, BTX-IT can use cooperative agreements such as TIPS, DIR, Sourcewell, or OMNIA to secure the best prices for each purchase.
- The total amount for the fiscal year is budgeted and within the budget amount.

Recommendation

Approve a minute order with CDW Government LLC for the purchase of wireless access points, security cameras, monitors, and peripheral equipment, utilizing Cooperative Customer Agreement through OMNIA Partners, TIPS, Sourcewell, or DIR, in the amount of \$120,000.



City Council Regular Meeting

DEPARTMENT: Information Technology

FROM: Hugo Rodriguez, Deputy Chief Technology Officer

MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on a five-year agreement with CivicPlus, LLC, through TIPS (220105) cooperative purchasing contract, for the City's website platform and related services in the total amount of \$209,663.55. (Staff Contact: Hugo Rodriguez, Deputy Chief Technology Officer)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

Staff requests City Council authorization to enter into a five-year agreement with CivicPlus, LLC, for its website platform for a total contract amount of \$209,663.55. The agreement consolidates the City's existing CivicPlus website services into one contract, including the City's main website, Police Department website, Parks and Recreation website, and all related platform fees. Consolidating these services will simplify contract administration, provide consistent support and functionality, and allow the City to continue providing reliable and accessible online services to residents.

The City selected CivicPlus because it currently provides and supports the City's existing websites. Continuing with the platform preserves the City's website content, established functionality, staff familiarity, and existing processes while avoiding the cost, operational disruption, and implementation effort associated with migrating multiple websites to a different platform. CivicPlus also provides a website platform designed for local government, including tools that support accessibility, emergency communications, content management, and resident engagement.

The agreement will be purchased through TIPS cooperative purchasing contract 220105, which satisfies applicable competitive purchasing requirements and provides established government pricing and terms. Funding will be budgeted annually in the BTX-IT operating budget over the five-year agreement: \$37,943.82 in year one, \$39,841.01 in year two, \$41,833.06 in year three, \$43,924.71 in year four, and \$46,120.95 in year five.

PROCUREMENT METHOD:

This purchase is being made through the Interlocal Purchasing System (TIPS), contract number 220105, in accordance with Texas Local Government Code Chapter 271, Subchapter F. Cooperative contracts are competitively solicited on behalf of multiple governmental entities, and the City may utilize these contracts to achieve cost savings and efficiency. Staff has confirmed that the cooperative contract was procured in compliance with applicable requirements. In addition, staff compared the proposed vendor's pricing to current market rates and concluded that the recommended vendor offers the most competitive pricing available to the City.

RECOMMENDATION:

Approval of a five-year agreement with CivicPlus, LLC, through TIPS (220105) cooperative purchasing contract, for the City's website platform and related services in the total amount of \$209,663.55

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

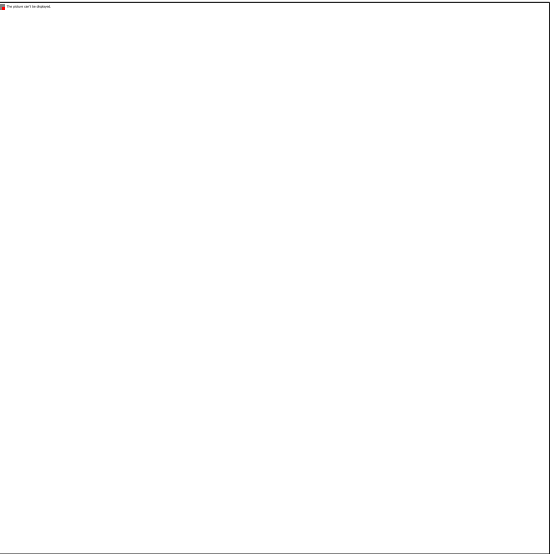
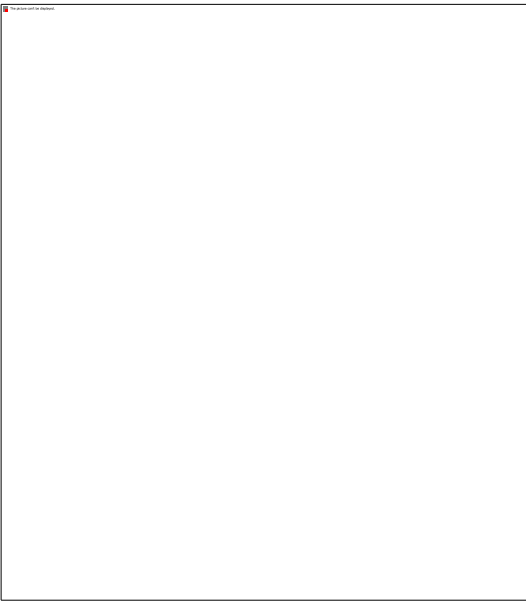
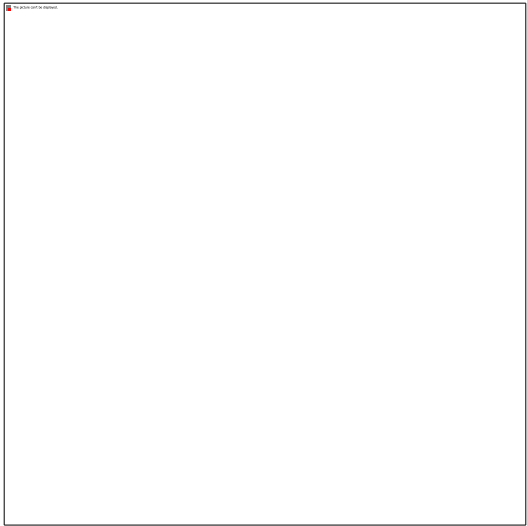
FISCAL IMPACT:

Proposed Expenditure/Revenue: \$209,663.55
 Account Number(s): 6108001-63506
 Fund: Support Services Fund (610)
 Account Description: Computer Software M&R
 Procurement Method: The Interlocal Purchasing System (TIPS)

STAFF CONTACT:

Hugo Rodriguez
 Deputy Chief Technology Officer
hrodriguez@burlesontx.com
 682-312-2766

CIVICPLUS WEBSITE PLATFORM



Background

- CivicPlus currently provides the City's public website platform.
- Services include the City's main website, Police Department website, and Parks and Recreation website.
- Website services and related fees have historically been managed separately.
- The proposed five-year agreement consolidates all websites, support services, platform fees, and related costs into one contract.
- Consolidation will simplify contract administration and align renewal terms.



Agreement Details

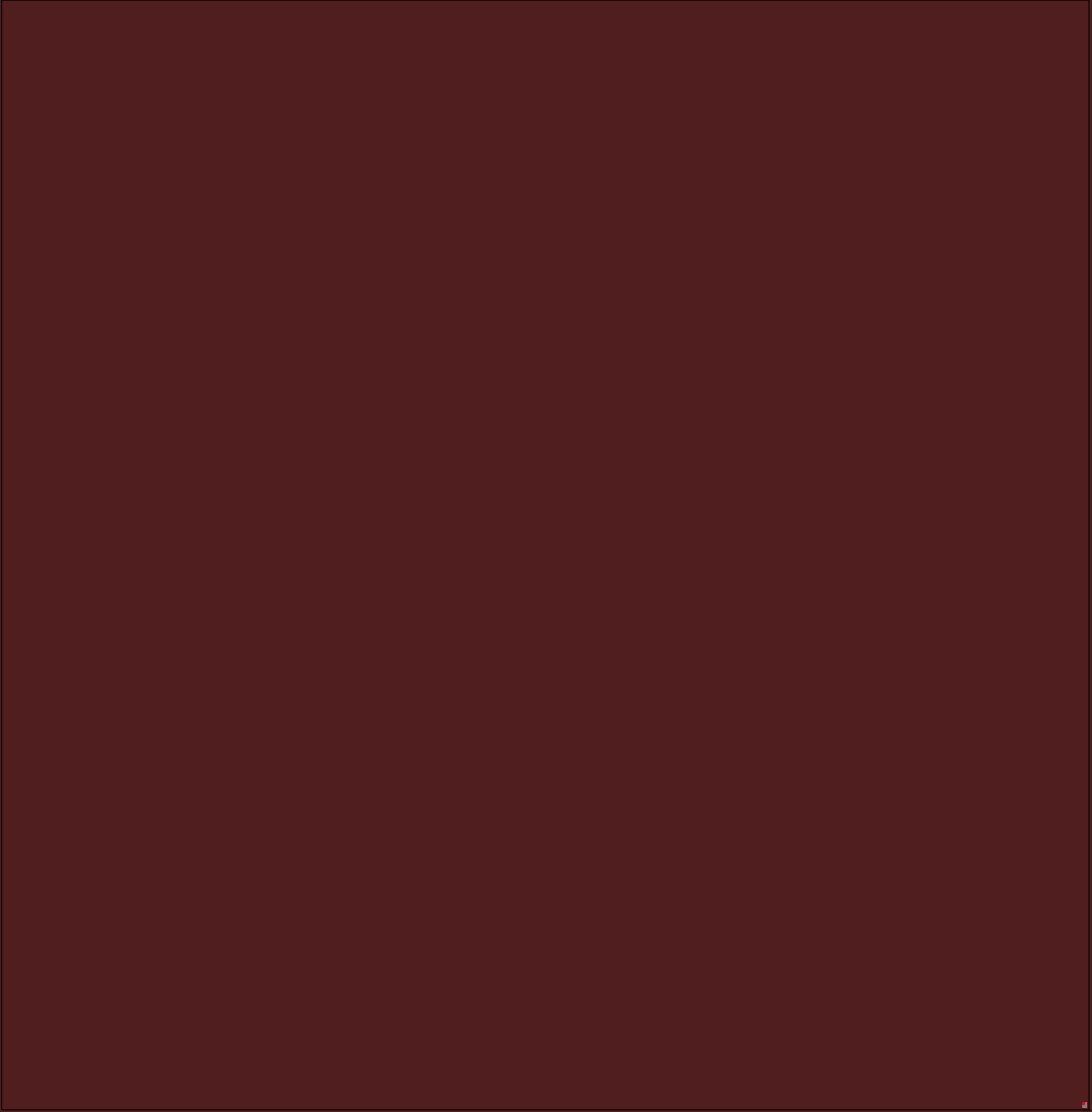
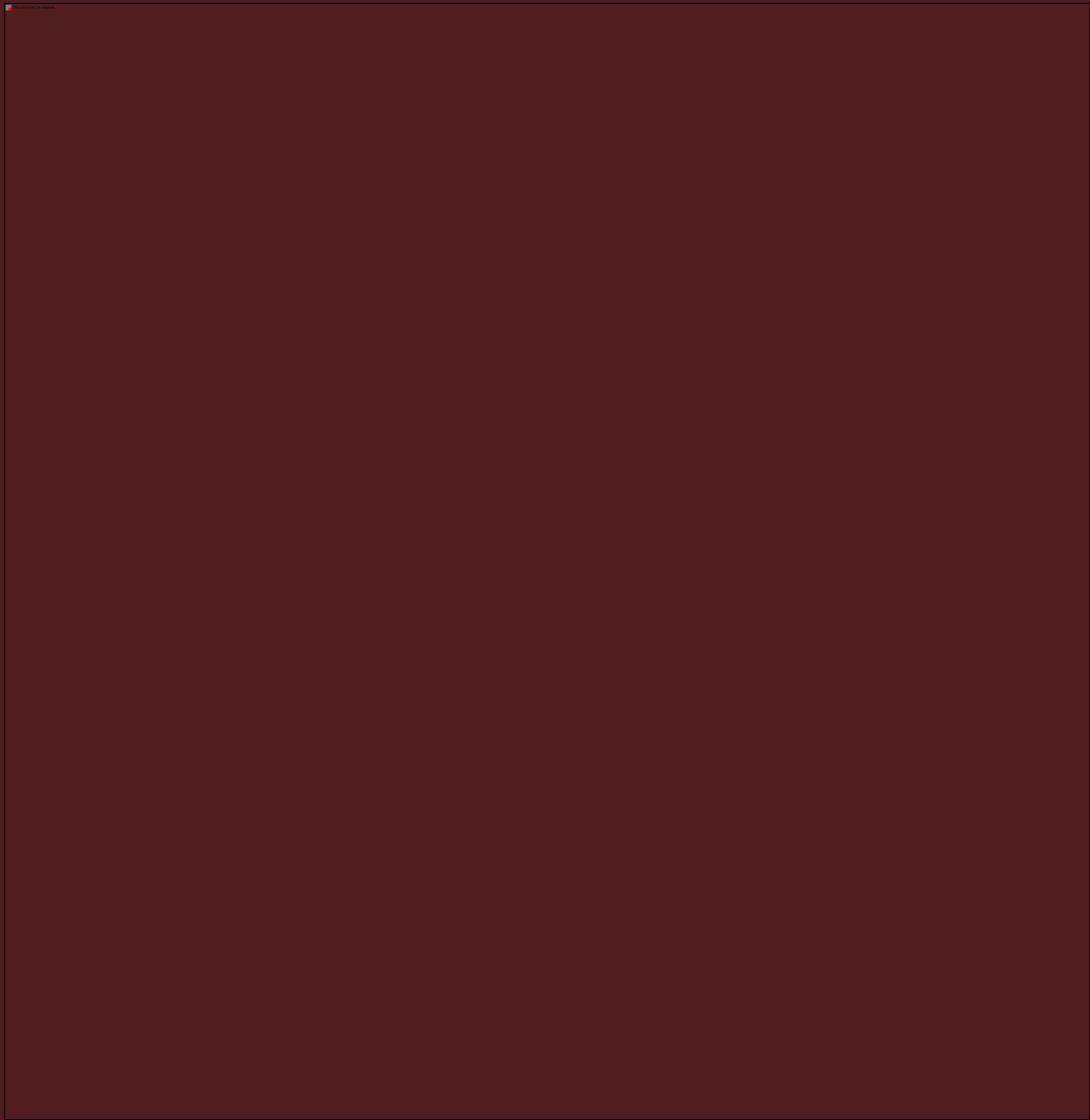
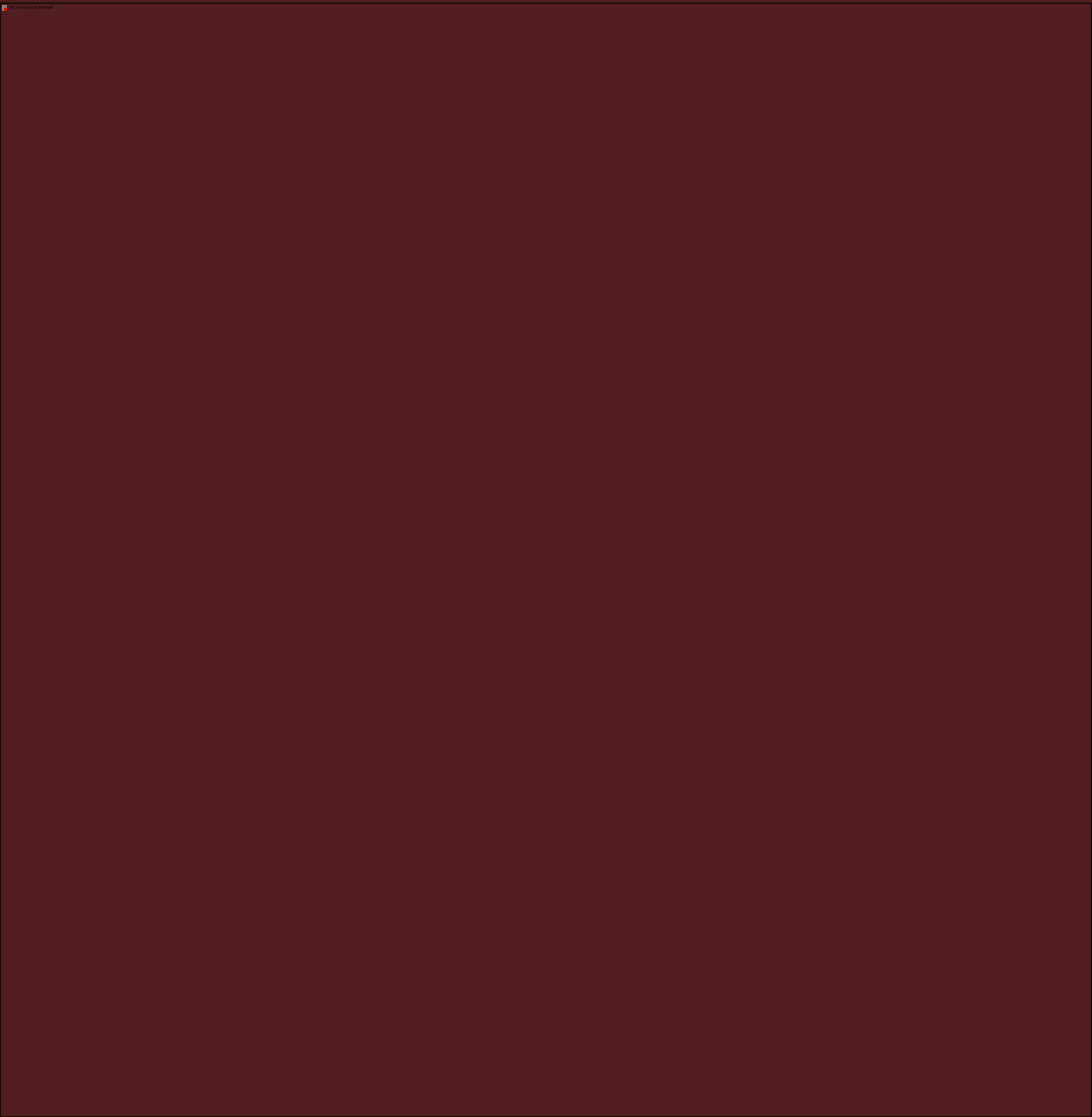
- Five-year agreement with CivicPlus, LLC, for the City’s website platform and related services.
- Purchase the agreement through TIPS cooperative purchasing contract 220105.
- Fund each annual payment through the BTX-IT operating budget.
- Annual services include platform support, software upgrades, security patches, and support for website modules.

Year	Amount
Year 1	37,943.82
Year 2	39,841.01
Year 3	41,833.06
Year 4	43,924.71
Year 5	46,120.95
Total	209,663.55



Recommendation

Approval of a five-year agreement with CivicPlus, LLC, through TIPS (220105) cooperative purchasing contract, for the City's website platform and related services in the total amount of \$209,663.55



City Council Regular Meeting

DEPARTMENT: Finance

FROM: Andrea Anderson, Purchasing Manager

MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on a minute order authorizing the purchase of products and services from Amazon Business through the Choice Partners Cooperative Contract No. 22/045KN-01) for Fiscal Year 2026-2027 in the amount of \$150,000. *(Staff Contact: Andrea Anderson, Purchasing Manager)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The Choice Partners cooperative agreement allows federal and local governments to purchase goods through Amazon using Business Prime. This service provides business-only pricing with quantity discounts, enables price comparisons across multiple vendors to ensure the City secures the lowest available price, and offers free one-day or two-day shipping on eligible items with no minimum purchase requirement.

On October 6, 2025, City Council authorized an annual expenditure with Amazon Business, via a Minute Order under the same contract, for the purchase of products and services in the amount of \$175,000. The Purchasing Division reviewed actual expenditures and considering departmental budget reductions in recent fiscal years, determined that an annual authorization of \$150,000 is sufficient to support anticipated citywide spending for FY27.

Choice Partners is a national purchasing cooperative that provides contract solutions fully compliant with government procurement requirements. This contract was originally awarded on August 17, 2022, and includes two renewal options through August 16, 2027. The RFP process was conducted by the Harris County Department of Education, a Texas governmental entity,

ensuring compliance with state procurement laws and meeting the statutory requirements of Texas Local Government Code Section 271.102. The City of Burleson is an active member of the Choice Partners Purchasing Cooperative.

RECOMMENDATION:

Approve a minute order authorizing the purchase of products and services from Amazon Business through the Choice Partners Cooperative (Contract No. 22/045KN-01) for Fiscal Year 2026-2027 in the amount of \$150,000. *(Staff Contact: Andrea Anderson, Purchasing Manager)*

PRIOR ACTION/INPUT (Council, Boards, Citizens):

September 23, 2024: Approval of a Cooperative Purchase Agreement for the purchase of products and services from Amazon Marketplace through the cooperative contract with Choice Partners in the amount of \$175,000.00 for the fiscal year 2024-2025.

October 6, 2026: Approval of a minute order authorizing the purchase of products and services from Amazon Business through the Choice Partners Cooperative (Contract No. 22/045KN-01) for Fiscal Year 2025-2026 in the amount of \$175,000.

REFERENCE:

CSO#5940-10-2025

FISCAL IMPACT:

Proposed Expenditure: \$150,000
Account Number(s): Various
Fund(s): Various
Account Description(s): Various
Procurement Method(s): Various

STAFF CONTACT:

Andrea Anderson
Purchasing Manager
aanderson@burlesontx.com
817-426-9847



Amazon Prime Business

CITY COUNCIL

OCTOBER 5, 2026

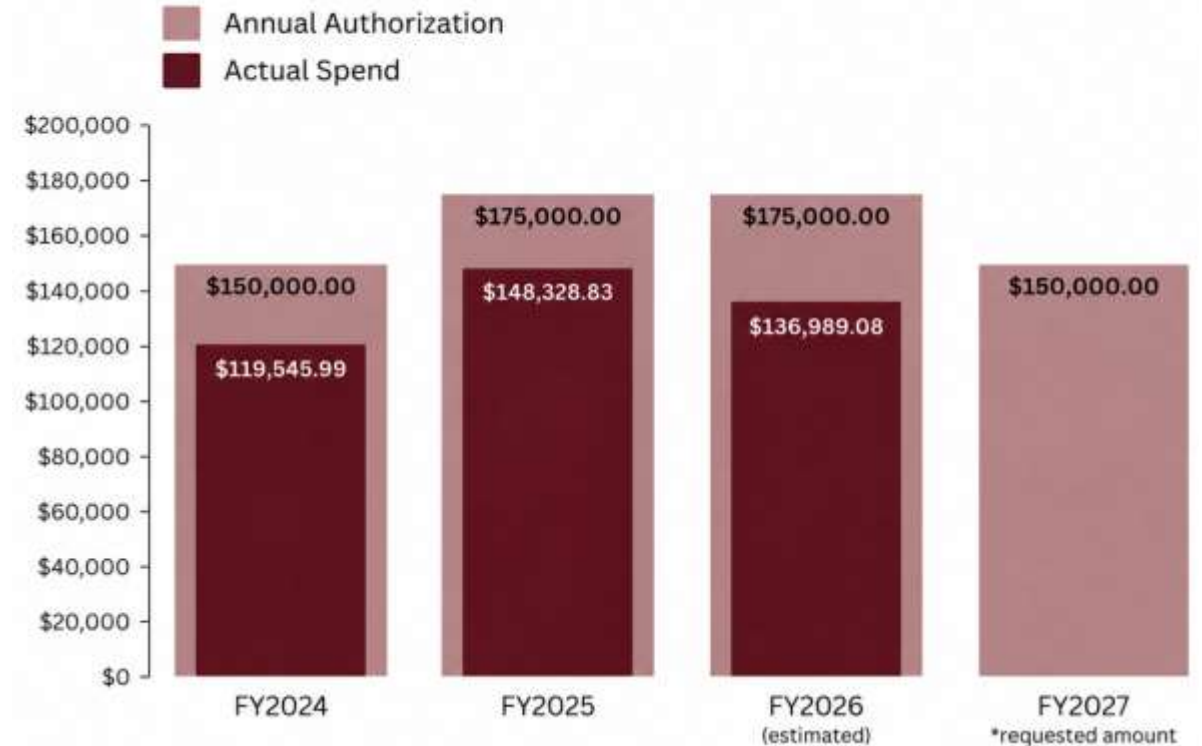
Purchasing Cooperative Overview

- State law allows Cooperative Purchasing Agreements to satisfy the need for competitive bidding, streamlining the procurement process.
- The Choice Partners cooperative contract for Amazon was competitively bid by a Texas local government entity, ensuring compliance and terms and conditions already negotiated with precautions for public entities, rather than relying on Amazon's standard commercial terms.
- The Choice Partners Amazon contract leverages tiered pricing and marketplace competition, meaning the City often receives below retail rates and can compare multiple vendors in real time.
- Choice Partners offers a 0.25% rebate on all purchases.
- Choice Partners does not require the City to self-report purchases to receive the rebate. This is done automatically by Amazon, saving staff time and ensuring the maximum rebate.

Background

- Staff is not seeking an increase in authorization this year; a reduced authorization has been determined to be sufficient.
- Multiple cities leverage cooperative contracts for Amazon Marketplace including the City of Fort Worth, City of Grand Prairie, and City of Arlington
- FY 2027 budget considerations are expected to support consistent spending levels, with Amazon expenditures projected to remain in line with prior years.

Annual Amazon Authorization



Amazon Prime Business Benefits

- Departments can search for items, compare prices across multiple marketplaces, and view quotes from various sellers to ensure competitive pricing
- Built-in policy and approval workflows for added security and authorization, reducing the risk of misappropriation
- Established policies automatically prioritize **local**, **small**, and **diverse** sellers
 - Organizational settings are customizable by the Purchasing Division, allowing us to highlight and guide staff to products from sellers in our city, county, and state
- Free same-day, one-day, or two-day shipping ensures quick delivery, reducing downtime and minimizing costly last-minute purchases
- Gain insights into spending patterns with detailed analytics and reporting tools

Questions

City Council Requested Action

Consider and take possible action on a minute order authorizing the purchase of products and services from Amazon Business through the Choice Partners Cooperative Contract No. 22/045KN-01 for Fiscal Year 2026-2027 in the amount of \$150,000. (*Staff Contact: Andrea Anderson, Purchasing Manager*)

City Council Regular Meeting

DEPARTMENT: Development Services

FROM: Tony D. McIlwain, Development Services Director

MEETING: October 5, 2026

SUBJECT:

Hold a public hearing and consider and take possible action on an ordinance amending the text of the city's zoning ordinance codified in Appendix B of the City of Burleson Code of Ordinances. *(Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

The City of Burleson's zoning regulations (i.e. Zoning Ordinance) contain land use and development requirements, which are separated into distinct classifications (i.e. zones), on all properties within the municipal boundaries. These zones provide specific standards that govern the purpose of land such as permitted uses, minimum yard sizes, height and bulk regulations, etc. This item proposes various amendments to provisions within the city's zoning ordinance. Highlights of some of the proposed changes include:

- new zoning definitions;
- auto laundry/ car wash site orientation standards
- New provisions to allow accessory dwelling units; and
- Updated Planned Development use regulations

Staff emailed a draft of the zoning code document to members of the development community and conducted a Developers Roundtable on June 26th. The previous draft contained new garage standards for SF-7 zoned properties and a new *MF-18 multi-family dwelling*, which was to replace the existing MF-1 and MF-2 zoning districts.

Members of the development community questioned the necessity for the proposed garage regulations. They expressed concerns that the garage criteria will negatively affect overall lot size, lot yield, residential density, and result in an increased cost burden that will be passed down to homebuyers. There is concern that the *MF-18 multi-family dwelling* district arbitrarily limits developer's choice between MF-1 and MF-2, and the density of 18 units per acre was contrary to the Council's expressed desire for more residential density where appropriate.

As a result of this feedback, staff has not included those proposed changes within these amendments.

Additionally, the previous draft of the zoning code amendments included multiple sections of changes, which if approved, would have resulted in significant non-conforming uses. While the City could elect to proceed with the previous proposed amendments, it would require a significant notification process, continued non-conforming use of property, or remedies to discontinue the use.

The remedies are: (1) payment for costs directly related to stopping the nonconforming use and payment for loss of market value of the property; or (2) continued nonconforming use of the property until the owner or lessee recovers the amount that would otherwise be payable under (1) through the continued business activities.

Staff's determination was to remove any subject sections that could expose the city to the remedies detailed above.

RECOMMENDATION:

Staff recommends approval of the proposed amendments to the city's zoning code.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

April 14, 2026: Proposed changes were presented and discussed at a Joint City Council and Planning and Zoning Commission meeting.

July 28, 2026: The Planning and Zoning Commission opened a public hearing, received feedback, and continued the public hearing to the meeting of August 25, 2026.

August 25, 2026: The Planning and Zoning Commission recommend approval of the proposed zoning amendments to the city's zoning code by a vote of 7 to 0.

September 21, 2026: The City Council opened a public hearing and conducted the first reading of the ordinance.

REFERENCE:

n/a

FISCAL IMPACT:

Proposed Expenditure/Revenue: n/a

Account Number(s): n/a

Fund: n/a

Account Description: n/a

Procurement Method: n/a

STAFF CONTACT:

Tony D. McIlwain, AICP, CFM

Development Services Director

tmcilwain@burlesontx.com

817-426-9684

Zoning Code Update

CITY COUNCIL: 10.5.2026

Background

- The purpose of this effort is to update various provisions within the city's zoning ordinance.
- Staff has worked on the zoning code update over the last several months utilizing feedback from the City Council, Infrastructure and Development Council Committee and Planning and Zoning Commission.
- July 28th and August 25th, 2026: The Planning and Zoning Commission conducted public hearings and received feedback.
- September 15th, 2026: The City Council opened a public hearing and conducted the first reading of the ordinance.

Zoning Code Highlights

This item proposes various amendments to provisions within the city's zoning ordinance. Highlights of some of the proposed changes include:

- New zoning definitions;
- New site orientation standards for auto laundry/car wash;
- Updated Planned Development zoning criteria;
- New provisions to allow accessory dwelling units;
- The next several slides detail some of the changes.

Amended Auto Laundry/ Car Wash Definition

Includes following additional standards:

1. Tunnel or drive thru (automatic) auto laundry/car wash. Shall be oriented so that the entrance and exit of the car wash tunnel are not seen from the parkway. The tunnel should be oriented parallel to the parkway. For sites located on corner lots, the tunnel shall be oriented parallel to the street with the higher classification in accordance with the master thoroughfare plan. Vacuums and self-service cleaning areas shall be located to the rear of the primary structure.
2. Self-service or pull in bay (manual) auto laundry/car wash. Shall be oriented perpendicular to the parkway so that entrance and exit points to the bays are not seen from the parkway. For sites located on corner lots the bays shall be oriented so that the interior of the bays can only be seen from the street with the lower classification in accordance with the master thoroughfare plan. Vacuums and self-service cleaning areas shall be located to the rear or side of the primary structure. When vacuum areas are located in the side yard of the lot, they shall be screened so to not be seen from the street with the higher classification.

Mixed-Use Definition

MIXED-USE — Development that permits a broad range of commercial, institutional, and residential development at varying densities within one building, lot, or district. Mixed-use is generally categorized as one of the following:

- Vertical mixed-use allows for a combination of different uses in the same building and most frequently the non-residential uses occupy the bottom portion of the building, with the residential on top.
- Horizontal mixed-use allows distinct uses on separate parcels to be combined in a particular area or district. This helps avoid the complexities of combining uses that may have different safety or regulatory requirements in a single building.
- Mixed-use walkable combines vertical mixed-use and horizontal mixed-use, thus creating an area containing mixed-use buildings as well as distinct single-use buildings in close proximity to each other.

Planned Development District (PD)

Use regulations:

Planned Development Districts shall be used in conjunction with base zoning district, unless changed by zoning amendment. Base districts or changes in existing base districts may be requested at the same time planned development districts are requested. Unless otherwise specified, all permitted uses in the base district are applicable for a planned development district.

In the PD District, uses shall conform to the standards and regulations of the base-zoning district to which it is most similar. The base zoning district shall be stated in the granting Ordinance. All applications to the City shall list all requested deviations from the standard requirements set forth throughout this Code (applications without this list will be considered incomplete) specifically any deviation not requested is deemed to comply with this Code even if shown graphically on a Site Plan. The Planned Development District shall conform to all other sections of this Code unless specifically excluded in the granting Ordinance.

Accessory Dwelling Unit (ADU) regulations

Accessory Dwelling Unit Standards:

1. Either the primary residence or ADU shall be occupied by the property owner.
2. The accessory dwelling unit shall be subordinate to the primary structure in overall height and size and placed in accordance with applicable zoning district setbacks.
3. ADUs shall not be larger than a GFA (Gross-Floor-Area) of 900 square feet or one-half the GFA of the Primary Dwelling, whichever is smaller.
4. There is a limit of one (1) accessory dwelling unit per lot.
5. Short-term rental (STR) permits will not be issued for ADUs.
6. One additional off-street parking space, accessible from the current drive-way; shall be required prior to approval of the final inspection for the ADU.
7. Additional utility meters and the issuance of separate addresses for the ADU are prohibited.

Accessory Dwelling Unit (ADU) regulations

ADUs in the following zoning districts shall require approval of a specific use permit (SUP):

- MF-1, multiple-family dwelling district.

- MF-2, multiple-family dwelling district.

- NS, neighborhood service district.

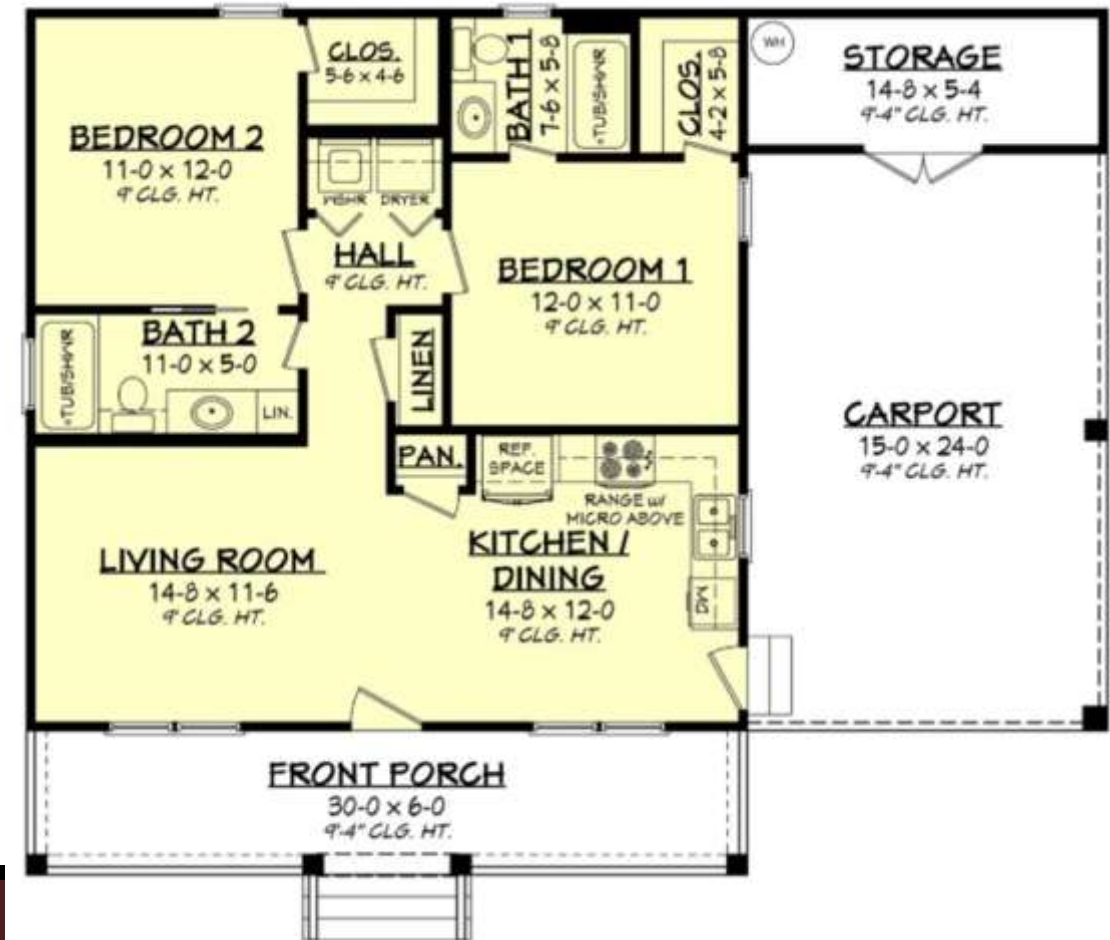
- GR, general retail district.

- CC, central commercial district.

- C, commercial district.

Additionally, ADUs approved per SUP shall be occupied by the building owner and shall require one dedicated parking spot.

Examples of a 900 sq. ft home



Developers Roundtable

- Staff emailed the draft zoning code document to members of the development community and conducted a Developers Roundtable on June 26th. The previous draft contained new garage standards for SF-7 zoned properties and a new *MF-18 multi-family dwelling*, which was to replace the existing MF-1 and MF-2 zoning districts.
- Participants questioned the necessity for the proposed garage regulations. They expressed concerns that the garage criteria will negatively affect overall lot size, lot yield, residential density, and result in an increased cost burden that will be passed down to homebuyers.
- There is concern that the *MF-18 multi-family dwelling* district arbitrarily limits developer's choice between MF-1 and MF-2, and the density of 18 units per acre was contrary to the Council's expressed desire for more residential density where appropriate.
- As a result of this feedback, staff has not included those proposed changes within these amendments.

SB 929

The previous draft of the zoning code amendments included multiple sections of changes, which if approved, would have resulted in significant non-conforming uses. While the City could elect to proceed with the previous proposed amendments, it would require a significant notification process, continued non-conforming use of property, or remedies to discontinue the use.

The remedies are: (1) payment for costs directly related to stopping the nonconforming use and payment for loss of market value of the property; or (2) continued nonconforming use of the property until the owner or lessee recovers the amount that would otherwise be payable under (1) through the continued business activities.

Staff's determination was to remove any subject sections that could expose the city to the remedies detailed above.

Supplemental Standards

- Staff brought forward additional zoning code amendments specific to various supplemental standards at the September 15th Planning and Zoning Commission meeting.
- Those proposed amendments involve:
 - ❖ commercial site plan requirements
 - ❖ accessory building and structure requirements
 - ❖ clarification of height measurements
 - ❖ amendments relating to mobile food vendors

Recommendation

- The Planning and Zoning Commission recommended approval of the proposed amendments to the city's zoning code by a vote of 7 to 0.
- Staff recommends approval of the proposed amendments to the city's zoning code.

ORDINANCE

AN ORDINANCE AMENDING APPENDIX B, "ZONING", OF THE CITY OF BURLESON, TEXAS CODE OF ORDINANCES BY AMENDING VARIOUS SECTIONS OF ARTICLE I "ADMINISTRATION", ARTICLE II, "DEFINITIONS," ARTICLE III "ZONING DISTRICTS," AND ARTICLE V "SUPPLEMENTAL REGULATIONS"; PROVIDING FOR THE INCORPORATION OF THE RECITALS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE CODICIATION INTO THE CODE OF ORDINANCES; FINDING THAT MEETINGS AT WHICH THIS ORDINANCE WERE PASSED COMPLIED WITH LAW; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Burleson has adopted Ordinance B-582 (A0508), being Appendix B - Zoning Ordinance, Code of Ordinances, City of Burleson, which establishes zoning regulations and districts in accordance with the City's comprehensive land use plan in order to promote health, safety, morals and the general welfare within the City of Burleson; and

WHEREAS, the City Council finds that this ordinance is a "proposed comprehensive zoning change" in that it 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; and

WHEREAS, the City Council finds that the Planning and Zoning Commission of Burleson, Texas, held a public hearing, notice for said hearing having been given not less than ten (10) days before the date set for the hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality, and voted 7 to 0 to recommend approval to the City Council of Burleson, Texas, that the ordinance be approved; and

WHEREAS, the City Council finds that the City Council held a public hearing, said notice was given of the further public hearing to consider the advisability of amending the Zoning Ordinance as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality, and by posting such notice to the City's Internet website; and

WHEREAS, the City Council finds that the City has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council finds that all citizens and parties at interest have been given

an opportunity to be heard on all the matter of the proposed zoning amendment and the City Council of the City of Burleson, Texas, have found and determined that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

WHEREAS, pursuant to Section 2-4(b) of the Code of Ordinances, City of Burleson, Texas, the City Council must consider and approve ordinance amendments at two separate sessions of the City Council unless an exception applies, and no such exception applies to amendments of the City's zoning ordinance; and

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

SECTION 1.

Section 2-100, "Zoning districts", of Section 2, "Zoning districts established", of Article I, "Administrative," of Appendix B, "Zoning," of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

"2-100 Zoning districts.

The city is hereby divided into 19 zoning districts. The use, height, and development regulations as established are uniform in each district. The 19 districts established herein shall be known as:

Abbreviated Designation	Zoning District Name
A	Agricultural district
SFE	Single-family estate district
SF16	Single-family dwelling district-16
SF10	Single-family dwelling district-10
SF7	Single-family dwelling district-7
SFA	Single-family attached dwelling district
2F	Two-family dwelling district
MF1	Multiple-family one dwelling district
MF2	Multiple-family two dwelling district
MH	Manufactured housing dwelling district
MHP	Manufactured housing park district
NS	Neighborhood service district
GR	General retail district

CC	Central commercial district
C	Commercial district
HI	Heavy and high energy industrial district
I	Industrial district
SP	Site Plan district
PD	Planned development district
SFR	Single-family rural district”

SECTION 2.

Section 3-101, “Adoption”, of Section 3, “Zoning districts map”, of Article I, “Administrative,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“3-101 Adoption.

Original, official, and identical copies of the zoning district map are hereby adopted bearing the signature of the mayor and the attestation of the city secretary and shall be filed and maintained as follows:

- (a) One copy shall be filed with the city secretary and retained as the original record and shall not be changed in any manner.
- (b) One reproducible copy shall be filed with the development services director and shall be the official zoning district map and shall be maintained by posting on the map all changes and subsequent amendments after their enactment for the use of the planning and zoning commission.
- (c) One copy shall be filed with the building official and shall be maintained by posting on the map all changes and subsequent amendments.
- (d) Other sectional maps for interpretation purposes are approved by resolution by the city council.
- (e) Reproductions for information purposes may, from time to time, be made of the official zoning district map.”

SECTION 3.

Section 18-100, “Generally”, of Section 18, “Classification of new and unlisted uses”, of Article I, “Administrative,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“18-100 Generally.

It is recognized that new types of land use will develop and forms of land use not anticipated may seek to locate in the city. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

Development services director action.

The development services director or his her designee may refer the question concerning any new or unlisted use to the planning and zoning commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material, hazardous or class 1 materials and vibration likely to be generated and the general requirements for public utilities such as water and sanitary sewer.”

SECTION 4.

Section 50-105, “Definitions”, of Section 50, “Definitions,” of Article II, “Definitions,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to add the following definitions without removing or otherwise altering the other definitions:

“50-105 Definitions.

...

ACCESSORY DWELLING UNIT — A self-contained housing unit, inclusive of sleeping, cooking, and sanitary facilities on the same lot as a primary dwelling, subject to otherwise applicable dimensional and parking requirements.

...

DEVELOPMENT SERVICES DIRECTOR — The person or group of persons or consultants that have been appointed development services director.

...

MANUFACTURED HOME — A structure that: 1) was constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development; 2) was built on a permanent chassis; 3) was designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; 4) is transportable in one or more sections; 5) includes the plumbing, heating, air conditioning, and electrical systems of the home; and 6) does not include a recreational vehicle.

...

MIXED-USE — Development that permits a broad range of commercial, institutional, and residential development at varying densities within one building, lot, or district. Mixed-use is generally categorized as one of the following:

- **Vertical mixed-use** allows for a combination of different uses in the same building and most frequently the non-residential uses occupy the bottom portion of the building, with the residential on top.
- **Horizontal mixed-use** allows distinct uses on separate parcels to be combined in a particular area or district. This helps avoid the complexities of combining uses that may have different safety or regulatory requirements in a single building.
- **Mixed-use walkable** combines vertical mixed-use and horizontal mixed-use, thus creating an area containing mixed-use buildings as well as distinct single-use buildings in close proximity to each other.

...

SECTION 5.

“Auto Laundry/Car Wash” of Section 50-105, “Definitions”, of Section 50, “Definitions,” of Article II, “Definitions,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“**AUTO LAUNDRY/CAR WASH** — An automated or motor assisted system or automotive washing device including assisted and coin-operated equipment.

Additional standards related to auto laundry/car wash:

1. **Tunnel or drive thru (automatic) auto laundry/car wash.** Shall be oriented so that the entrance and exit of the car wash tunnel are not seen from the parkway. The tunnel should be oriented parallel to the parkway. For sites located on corner lots, the tunnel shall be oriented parallel to the street with the higher classification in accordance with the master thoroughfare plan. Vacuums and self-service cleaning areas shall be located to the rear of the primary structure.
2. **Self-service or pull in bay (manual) auto laundry/car wash.** Shall be oriented perpendicular to the parkway so that entrance and exit points to the bays are not seen from the parkway. For sites located on corner lots the bays shall be oriented so that the interior of the bays can only be seen from the street with the lower classification in accordance with the master thoroughfare plan. Vacuums and self-service cleaning areas shall be located to the rear or side of the primary structure. When vacuum areas are located in the side yard of the lot, they shall be screened so to not be seen from the street with the higher classification.”

SECTION 6.

Subsection (b) of Section 52-105, “Primary uses allowed”, of Section 52, “A, agricultural district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“52-105 Primary uses allowed. In the A, agricultural district, no building or land shall be used, and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
residential Accessory
building, agricultural
Accessory dwelling unit

Caretaker's or guard's
residence Home occupation
Off-street parking
Swimming pool,
private”

SECTION 7.

Subsection (b) of Section 54-105, “Primary uses allowed”, of Section 54, “SFE, single-family estate district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“54-105 Primary uses allowed. In the SFE, single-family estate district, no building or land shall be used, and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
Accessory dwelling unit

Caretaker's or guard's
residence Home occupation
Off-street parking
Swimming pool, private
Stable or barn private”

SECTION 8.

Subsection (b) of Section 55-105, “Primary uses allowed”, of Section 55, “SF16, single-family dwelling district-16”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“55-105 Primary uses allowed. In the SF16 single-family dwelling district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
Accessory dwelling unit
Caretaker's or guard's
residence Home occupation
Off-street parking
Swimming pool,
private”

SECTION 9.

Subsection (b) of Section 56-105, “Primary uses allowed”, of Section 56, “SF10, single-family dwelling district-10”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“56-105 Primary uses allowed. In the SF10 single-family dwelling district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
Accessory dwelling unit
Home occupation
Off-street parking
Swimming pool,
private”

SECTION 10.

Subsection (b) of Section 57-105, “Primary uses allowed”, of Section 57, “SF7, single-family dwelling district-7”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“57-105 Primary uses allowed. In the SF7 single-family dwelling district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
Accessory dwelling unit
Home occupation
Off-street parking
Swimming pool,
private”

SECTION 11.

Subsection (b) of Section 58-105, “Primary uses allowed”, of Section 58, “SFA, single-family attached dwelling district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“58-105 Primary uses allowed. In the SFA, single-family dwelling district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
Accessory dwelling unit
Home occupation
Off-street parking
Swimming pool,
private”

SECTION 12.

Subsection (b) of Section 65-105, “Primary uses allowed”, of Section 65, “2F, two-family attached dwelling district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“65-105 Primary uses allowed. In the 2-F, two-family dwelling district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
Accessory dwelling unit
Home occupation
Off-street parking
Swimming pool,
private”

SECTION 13.

Section 66-110, “Specific use permit”, of Section 66, “MF1, multiple-family attached dwelling district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“66-110 Specific use permit. See section 130, specific use permit. The following uses require an ordinance amendment. Unless otherwise stated, a site plan meeting the requirements of section 131, site

plan regulations, and a public hearing is required before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

- (a) Uses allowed with a specific use

permit: Accessory dwelling unit.”

SECTION 14.

Section 67-110, “Specific use permit”, of Section 67, “MF2, multiple-family attached dwelling district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“67-110 Specific use permit. See section 130, specific use permit. Unless otherwise stated, the following uses require a site plan meeting the requirements of section 131, site plan regulations, and a public hearing is required before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

- (a) Uses allowed with a specific use

permit: Accessory dwelling unit.”

SECTION 15.

Subsection (b) of Section 68-105, “Primary uses allowed”, of Section 68, “MH, manufactured housing dwelling district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“68-105 Primary uses allowed. In the MH, manufactured home dwelling district no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

- (b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
Accessory dwelling unit
Caretaker's or guard's
residence Home occupation
Off-street parking

Swimming pool,
private”

SECTION 16.

Subsection (b) of Section 69-105, “Primary uses allowed”, of Section 69, “MHP, manufactured housing park district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“69-105 Primary uses allowed. In the MHP, manufactured housing park district no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
Accessory dwelling unit
Caretaker's or guard's
residence Home occupation
Off-street parking
Swimming pool,
private”

SECTION 17.

Subsection (a) of Section 75-110, “Specific use permit”, of Section 75, “NS, neighborhood service district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“75-110 Specific use permit.

Unless otherwise stated, the following uses require a site plan meeting the requirements of section 131, site plan regulations, and a regular public hearing meeting the requirements of section 9, public hearing, before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

(a) Uses allowed with a specific use permit:

Accessory dwelling unit
Community center, private
Convenience store with automotive fuel
sales Drapery, sewing or weaving shop
Drugstore or pharmacy
See conditions in subsection (b)
below. Laundry/clean self service
Office, business and
professional Office, medical
or dental
Pet shop
See conditions in 75-110(b) below.
Restaurant or cafeteria (not of drive-in
type) See conditions in 75-110(b) below.
Retail shop, apparel, gift and accessories and similar
items See conditions in 75-110(b) below.
Studio, artist and/or
photographer See conditions in
75-110(b) below. Studio, health
and fitness
See conditions in 75-110(b)
below. Studio, music, dance,
and/or drama See conditions in
75-110(b) below. Travel bureau
or consultant
See conditions in 75-110(b)
below. Variety or similar retail
store
See conditions in 75-110(b) below.”

...

SECTION 18.

Subsection (a) of Section 76-110, “Specific use permit”, of Section 76, “GR, general retail district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances,

City of Burleson, Texas, is hereby amended to read as follows:

“76-110 Specific use permit.

Unless otherwise stated, the following uses require a site plan meeting the requirements of section 131, site plan regulations. A public hearing is required before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit:

(a) Uses allowed with a specific use permit:

Accessory dwelling unit

Amusement, commercial (indoor)

Automobile/truck rental service, except no rental trucks or trailers shall be located in any multi-use/multi-tenant shopping center.

1. In considering whether to grant a specific use permit, the following shall be considered while granting an SUP:
 - a. Number and location of parking of rental units versus customer parking.
 - b. Type of vehicles and trailers to be let.
 - c. Traffic impact on surrounding areas.
 - d. Location and screening of outdoor service areas.
 - e. Screening from residentially zoned properties.
 - f. Hours of operation.
 - g. Lighting.

Automotive oil change and lubrication

shop (See conditions in 76-110(b)

below)

Batting cages

(See conditions in 76-110(b)

below) Community center, private

Fairgrounds or exhibition area

(See conditions in 76-110(b) below) Paint

shop Liquor store

1. In considering whether to grant a specific use permit, the following supplemental regulations must be met unless otherwise approved by City Council:
 - a. Shall not be located within the Old Town Overlay District or within

300 feet of IH-35 frontage without City Council approval.

- b. Minimum building size shall be 5,000 sq. ft.
- c. No liquor stores shall be allowed within 1,000 feet of another liquor store as measured in a straight line from their respective property lines.
- d. A liquor (package) store shall not have walk-up window access and shall not have drive-through or drive-up access.
- e. The liquor store has an independent entrance for deliveries and customers. "Partitioned" means walls or other physical divisions separating the liquor store from all other retail or commercial establishments.
- f. All windows shall be either polycarbonate or have a protective shatterproof film installed on both sides and glass window.
- g. Shall provide additional landscaping between front facade and the parkway.
 - i. Shall maintain a 15-foot landscaping buffer with canopy trees planted no less than 20 feet on center along entire frontage.

Plumbing shop (with outside storage)

Taxidermy shop”

...

SECTION 19.

Subsection (a) of Section 77-110, “Specific use permit”, of Section 77, “CC, central commercial district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“77-110 Specific use permit. The following uses require an ordinance amendment. Unless otherwise stated, a site plan meeting the requirements of section 131, site plan regulations and a public hearing are required before a recommendation is made by the planning and zoning commission and action taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

- (a) Uses allowed with a specific use permit:

Accessory dwelling unit

Amusement, commercial

(indoor) Child care center

Community center,

private Electrical

substation Electrical
transmission Engine
repair (small)
Exhibition area
Feed store
Greenhouse or plant nursery (on-premises sales)
Greenhouse or commercial nursery (off-premises
sales) Local franchise utility
Natural gas regulating station
Parking lot or structure, commercial
(auto) Radio, microwave, TV tower
Radio, television station
School, commercial trade
Sewage pumping station
Swimming pool,
commercial Taxidermy
Telephone exchange, switching, relay, or transmission station
Water pumping station
Water storage facility”

...

SECTION 20.

Subsection (a) of Section 78-110, “Specific use permit”, of Section 78, “C, commercial district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“78-110 Specific use permit. See section 130, specific use permit. The following uses require an ordinance amendment. Unless otherwise stated, a site plan meeting the requirements of section 131, Site plan regulations and a public hearing are required before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

(a) Uses allowed with a specific use permit:

Accessory dwelling unit
Amusement, commercial (indoor)
Animal pound, private

1. Facilities adjacent to residentially zoned property shall have no outside animal pens.
2. Screening between residentially zoned property with a 20-foot buffer and trees planted on 20-foot centers.

Automobile/truck rental service, except no rental trucks or trailers shall be located in any multi-use/multi-tenant shopping center.

1. In considering whether to grant a specific use permit, the following shall be considered while granting an SUP:
 - a. Number and location of parking of rental units versus customer parking.
 - b. Type of vehicles and trailers to be let.
 - c. Traffic impact on surrounding areas.
 - d. Location and screening of outdoor service areas.
 - e. Screening from residentially zoned properties.
 - f. Hours of operation.
 - g. Lighting.

Community center,

private Kennel

(indoor)

Liquor store

1. In considering whether to grant a specific use permit, the following supplemental regulations must be met unless otherwise approved by City Council:
 - a. Shall not be located within the Old Town Overlay District or within 300 feet of IH-35 frontage without City Council approval.
 - b. Minimum building size shall be 5,000 sq. ft.
 - c. No liquor stores shall be allowed within 1,000 feet of another liquor store as measured in a straight line from their respective property lines.
 - d. A liquor (package) store shall not have walk-up window access and shall not have drive-through or drive-up access.
 - e. The liquor store has an independent entrance for deliveries and customers. "Partitioned" means walls or other physical divisions separating the liquor store from all other retail or commercial establishments.
 - f. All windows shall be either polycarbonate or have a protective shatterproof film installed on both sides and glass window.
 - g. Shall provide additional landscaping between front facade and the parkway.

- i. Shall maintain a 15-foot landscaping buffer with canopy trees planted no less than 20 feet on center along entire frontage

Miniwarehouse

1. No outside storage, sales, service or repair activities other than the rental of dead storage of units.
2. No stall or locker doors shall face any public streets or residentially zoned property.
3. Outdoor storage of trash receptacles shall be at the side or rear of the lot and completely screened by a wall or fence no less than six feet in height.

Miniature golf

course Petroleum

or gas well

Small tractor and farm equipment sales and repair

Tattoo studio

1. In considering whether to grant a specific use permit, the following shall be required:
 - a. Hours of operations (cannot commence application of a tattoo other than stated hours of operation)
 - i. No earlier than 10AM
 - ii. Sundays no later than 6PM
 - iii. All other days no later than Midnight
 - b. Tattoo Studios not allowed to operate in residential areas
 - c. Signage requirement
 - i. No flashing signs
 - ii. No neon signs
 - d. No loitering on permitted premises
2. In considering whether to grant a specific use permit, the following shall be considered in addition to the other factors to be considered while granting an SUP:
 - a. Distance to residentially zoned areas, churches, schools, day-care facilities, and other tattoo studios.
3. The application for a building permit shall be accompanied by a copy of the applicant's state license.
4. After five affirmative findings of violations of either state or local regulations relating to the operations of the tattoo studio the specific use permit will be automatically terminated.

Taxidermy Zoo, public”

...

SECTION 21.

Section 85-105, “Use regulations”, of Section 85, “PD, planned development district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“85-105 Use regulations. The permitted use or uses of property located in the PD district shall be determined at the time the district is approved. A PD district may include a combination of different dwelling types and/or a variety of residential and nonresidential land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity.

Planned Development Districts shall be used in conjunction with base zoning district, unless changed by zoning amendment. Base districts or changes in existing base districts may be requested at the same time planned development districts are requested. Unless otherwise specified, all permitted uses in the base district are applicable for a planned development district.

In the PD District, uses shall conform to the standards and regulations of the base-zoning district to which it is most similar. The base zoning district shall be stated in the granting Ordinance. All applications to the City shall list all requested deviations from the standard requirements set forth throughout this Code (applications without this list will be considered incomplete) specifically any deviation not requested is deemed to comply with this Code even if shown graphically on a Site Plan. The Planned Development District shall conform to all other sections of this Code unless specifically excluded in the granting Ordinance.”

Section 132, “General yard requirements”, of Article V, “Supplemental Regulations,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to add Section 132-116, “Accessory dwelling unit (ADU) regulations”, to read as follows:

“132-116 Accessory dwelling unit (ADU) regulations.

- (a) There is a limit of one (1) accessory dwelling unit per lot.
- (b) The accessory dwelling unit shall be subordinate to the primary structure in overall height and size and placed in accordance with applicable zoning district setbacks.
- (c) ADUs shall not be larger than a GFA (Gross-Floor-Area) of 900 square feet or one-half the GFA of the Primary Dwelling, whichever is smaller.
- (d) Either the primary residence or ADU shall be occupied by the property

owner.

(e) Short-term rental (STR) permits will not be issued for ADUs.

(f) One additional off-street parking space, accessible from the current driveway, shall be required prior to approval of the final inspection for the ADU.

(g) Additional utility meters and the issuance of separate addresses for the ADU are prohibited.

(h) ADUs in the following zoning districts shall require approval of a specific use permit (SUP):

1. MF-1, multiple-family dwelling district.
2. MF-2, multiple-family dwelling district.
3. NS, neighborhood service district.
4. GR, general retail district.
5. CC, central commercial district.
6. C, commercial district.

Additionally, ADUs approved per SUP shall be occupied by the building owner and shall require one dedicated parking spot.”

SECTION 22.

The recitals of this Ordinance are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 23.

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

SECTION 24.

The terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

SECTION 25.

Any complaint, notice, notice of violation, action, cause of action, hearing request, appeal, or claim which prior to the effective date of this Ordinance that has been initiated or arisen under or pursuant to any other ordinance(s) shall continue to be governed by the provision of that ordinance or ordinances, and for that purpose that ordinance or ordinances shall be deemed to remain and shall continue in full force and effect.

SECTION 26.

It is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Burleson, and that the sections of this ordinance may be renumbered or relettered to accomplish such intention.

SECTION 27.

It is hereby officially found and determined that the meetings at which this ordinance is passed were open to the public and that public notice of the time, place, and purpose of said meetings were given as required by law.

SECTION 28.

Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in V.T.C.A. Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

SECTION 29.

Pursuant to Section 36 of the Charter of the City of Burleson, that this ordinance shall take effect after its passage and publication, and that the City Secretary is hereby directed to give notice of the passage of this ordinance by causing the caption or title and the penalty clause of this ordinance to be published once in a newspaper of general circulation in the city and on the city's website.

AND IT SO ORDAINED.

PASSED AND APPROVED: the _____ day of _____, 20_____.

First Reading: the _____ day of _____, 20_____.

Final Reading: the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

Amanda Campos, City Secretary

APPROVED AS TO FORM & LEGALITY:

E. Allen Taylor, Jr., City Attorney

ORDINANCE

AN ORDINANCE AMENDING APPENDIX B, "ZONING", OF THE CITY OF BURLESON, TEXAS CODE OF ORDINANCES BY AMENDING VARIOUS SECTIONS OF ARTICLE I "ADMINISTRATION", ARTICLE II, "DEFINITIONS," ARTICLE III "ZONING DISTRICTS," AND ARTICLE V "SUPPLEMENTAL REGULATIONS"; PROVIDING FOR THE INCORPORATION OF THE RECITALS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE CODICIATION INTO THE CODE OF ORDINANCES; FINDING THAT MEETINGS AT WHICH THIS ORDINANCE WERE PASSED COMPLIED WITH LAW; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Burleson has adopted Ordinance B-582 (A0508), being Appendix B - Zoning Ordinance, Code of Ordinances, City of Burleson, which establishes zoning regulations and districts in accordance with the City's comprehensive land use plan in order to promote health, safety, morals and the general welfare within the City of Burleson; and

WHEREAS, the City Council finds that this ordinance is a "proposed comprehensive zoning change" in that it 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; and

WHEREAS, the City Council finds that the Planning and Zoning Commission of Burleson, Texas, held a public hearing, notice for said hearing having been given not less than ten (10) days before the date set for the hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality, and voted ___ to ___ to recommend approval to the City Council of Burleson, Texas, that the ordinance be approved; and

WHEREAS, the City Council finds that the City Council held a public hearing, said notice was given of the further public hearing to consider the advisability of amending the Zoning Ordinance as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality, and by posting such notice to the City's Internet website; and

WHEREAS, the City Council finds that the City has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council finds that all citizens and parties at interest have been given

an opportunity to be heard on all the matter of the proposed zoning amendment and the City Council of the City of Burleson, Texas, have found and determined that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

WHEREAS, pursuant to Section 2-4(b) of the Code of Ordinances, City of Burleson, Texas, the City Council must consider and approve ordinance amendments at two separate sessions of the City Council unless an exception applies, and no such exception applies to amendments of the City's zoning ordinance; and

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

SECTION 1.

Section 2-100, "Zoning districts", of Section 2, "Zoning districts established", of Article I, "Administrative," of Appendix B, "Zoning," of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

"2-100 Zoning districts.

The city is hereby divided into 19 zoning districts. The use, height, and development regulations as established are uniform in each district. The 19 districts established herein shall be known as:

Abbreviated Designation	Zoning District Name
A	Agricultural district
SFE	Single-family estate district
SF16	Single-family dwelling district-16
SF10	Single-family dwelling district-10
SF7	Single-family dwelling district-7
SFA	Single-family attached dwelling district
2F	Two-family dwelling district
MF1	Multiple-family one dwelling district
MF2	Multiple-family two dwelling district
MH	Manufactured housing dwelling district
MHP	Manufactured housing park district
NS	Neighborhood service district
GR	General retail district

CC	Central commercial district
C	Commercial district
HI	Heavy and high energy industrial district
I	Industrial district
SP	Site Plan district
PD	Planned development district
SFR	Single-family rural district”

SECTION 2.

Section 3-101, “Adoption”, of Section 3, “Zoning districts map”, of Article I, “Administrative,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“3-101 Adoption.

Original, official, and identical copies of the zoning district map are hereby adopted bearing the signature of the mayor and the attestation of the city secretary and shall be filed and maintained as follows:

- (a) One copy shall be filed with the city secretary and retained as the original record and shall not be changed in any manner.
- (b) One reproducible copy shall be filed with the ~~director of community~~ development [services director](#) and shall be the official zoning district map and shall be maintained by posting on the map all changes and subsequent amendments after their enactment for the use of the planning and zoning commission.
- (c) One copy shall be filed with the building official and shall be maintained by posting on the map all changes and subsequent amendments.
- (d) Other sectional maps for interpretation purposes are approved by resolution by the city council.
- (e) Reproductions for information purposes may, from time to time, be made of the official zoning district map.”

SECTION 3.

Section 18-100, “Generally”, of Section 18, “Classification of new and unlisted uses”, of Article I, “Administrative,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“18-100 Generally.

It is recognized that new types of land use will develop and forms of land use not anticipated may seek to locate in the city. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

(a) ~~Community d~~Development services director action.

The ~~community~~ development services director or his her designee may refer the question concerning any new or unlisted use to the planning and zoning commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material, hazardous or class 1 materials and vibration likely to be generated and the general requirements for public utilities such as water and sanitary sewer.”

SECTION 4.

Section 50-105, “Definitions”, of Section 50, “Definitions,” of Article II, “Definitions,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to add the following definitions without removing or otherwise altering the other definitions:

“50-105 Definitions.

...

ACCESSORY DWELLING UNIT — A self-contained housing unit, inclusive of sleeping, cooking, and sanitary facilities on the same lot as a primary dwelling, subject to otherwise applicable dimensional and parking requirements.

~~...APARTMENT HOUSE — Any building or portion of a building which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or place of residence by three or more families living in independent dwelling units.~~

~~APARTMENT, LOFT — A dwelling unit consisting of a single room or a series of rooms, which is attached to but secondary to a main nonresidential structure and is generally located above the first floor of the structure.~~

~~APARTMENT, STUDIO — A dwelling unit which has, as an integral part of the unit, a work area generally associated with the creative arts and which may consist of a single room or series of rooms~~
~~BOARD — The zoning board of adjustment.~~

DEVELOPMENT SERVICES ~~DIRECTOR-OF COMMUNITY DEVELOPMENT~~
— The person or group of persons or consultants that have been appointed ~~director of community~~ development services director.

...

MANUFACTURED HOME — A structure that: 1) was constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development; 2) was built on a permanent chassis; 3) was designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities; 4) is transportable in one or more sections; 5) includes the plumbing, heating, air conditioning, and electrical systems of the home; and 6) does not include a recreational vehicle.

...

MIXED-USE — Development that permits a broad range of commercial, institutional, and residential development at varying densities within one building, lot, or district. Mixed-use is generally categorized as one of the following:

- Vertical mixed-use allows for a combination of different uses in the same building and most frequently the non-residential uses occupy the bottom portion of the building, with the residential on top.
- Horizontal mixed-use allows distinct uses on separate parcels to be combined in a particular area or district. This helps avoid the complexities of combining uses that may have different safety or regulatory requirements in a single building.
- Mixed-use walkable combines vertical mixed-use and horizontal mixed-use, thus creating an area containing mixed-use buildings as well as distinct single-use buildings in close proximity to each other.

...

SECTION 5.

“Auto Laundry/Car Wash” of Section 50-105, “Definitions”, of Section 50, “Definitions,” of Article II, “Definitions,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“AUTO LAUNDRY/CAR WASH — An automated or motor assisted system or automotive washing device including assisted and coin-operated equipment.

Additional standards related to auto laundry/car wash:

1. Tunnel or drive thru (automatic) auto laundry/car wash. Shall be oriented so that the entrance and exit of the car wash tunnel are not seen from the parkway. The tunnel should be oriented parallel to the parkway. For sites located on corner lots, the tunnel shall be oriented parallel to the street with the

higher classification in accordance with the master thoroughfare plan. Vacuums and self-service cleaning areas shall be located to the rear of the primary structure.

2. Self-service or pull in bay (manual) auto laundry/car wash. Shall be oriented perpendicular to the parkway so that entrance and exit points to the bays are not seen from the parkway. For sites located on corner lots the bays shall be oriented so that the interior of the bays can only be seen from the street with the lower classification in accordance with the master thoroughfare plan. Vacuums and self-service cleaning areas shall be located to the rear or side of the primary structure. When vacuum areas are located in the side yard of the lot, they shall be screened so to not be seen from the street with the higher classification.”

SECTION 6.

Subsection (b) of Section 52-105, “Primary uses allowed”, of Section 52, “A, agricultural district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“52-105 Primary uses allowed. In the A, agricultural district, no building or land shall be used, and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,

residential Accessory

building, agricultural

Accessory dwelling unit

Caretaker's or guard's

residence Home occupation

Off-street parking

Swimming pool,

private”

SECTION 7.

Subsection (b) of Section 54-105, “Primary uses allowed”, of Section 54, “SFE, single-family estate district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“54-105 Primary uses allowed. In the SFE, single-family estate district, no building or land shall be used, and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
[Accessory dwelling unit](#)
Caretaker's or guard's
residence Home occupation
Off-street parking
Swimming pool, private
Stable or barn private”

SECTION 8.

Subsection (b) of Section 55-105, “Primary uses allowed”, of Section 55, “SF16, single-family dwelling district-16”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“55-105 Primary uses allowed. In the SF16 single-family dwelling district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
[Accessory dwelling unit](#)
Caretaker's or guard's
residence Home occupation
Off-street parking
Swimming pool,
private”

SECTION 9.

Subsection (b) of Section 56-105, “Primary uses allowed”, of Section 56, “SF10, single-family dwelling district-10”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“56-105 Primary uses allowed. In the SF10 single-family dwelling district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
[Accessory dwelling unit](#)
Home occupation
Off-street parking
Swimming pool,
private”

SECTION 10.

Subsection (b) of Section 57-105, “Primary uses allowed”, of Section 57, “SF7, single-family dwelling district-7”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“57-105 Primary uses allowed. In the SF7 single-family dwelling district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
[Accessory dwelling unit](#)
Home occupation
Off-street parking
Swimming pool,

private”

SECTION 11.

Subsection (b) of Section 58-105, “Primary uses allowed”, of Section 58, “SFA, single-family attached dwelling district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“58-105 Primary uses allowed. In the SFA, single-family dwelling district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
[Accessory dwelling unit](#)
Home occupation
Off-street parking
Swimming pool,
private”

SECTION 12.

Subsection (b) of Section 65-105, “Primary uses allowed”, of Section 65, “2F, two-family attached dwelling district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“65-105 Primary uses allowed. In the 2-F, two-family dwelling district, no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
[Accessory dwelling unit](#)
Home occupation

Off-street parking
Swimming pool,
private”

SECTION 13.

Section 66-110, “Specific use permit”, of Section 66, “MF1, multiple-family attached dwelling district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“66-110 Specific use permit. See section 130, specific use permit. The following uses require an ordinance amendment. Unless otherwise stated, a site plan meeting the requirements of section 131, site plan regulations, and a public hearing is required before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

- (a) Uses allowed with a specific use

permit: [Accessory dwelling](#)

[unit](#)None-allowed.”

SECTION 14.

Section 67-110, “Specific use permit”, of Section 67, “MF2, multiple-family attached dwelling district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“67-110 Specific use permit. See section 130, specific use permit. Unless otherwise stated, the following uses require a site plan meeting the requirements of section 131, site plan regulations, and a public hearing is required before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

- (a) Uses allowed with a specific use

permit: [Accessory dwelling](#)

[unit](#)None-allowed.”

SECTION 15.

Subsection (b) of Section 68-105, “Primary uses allowed”, of Section 68, “MH, manufactured housing dwelling district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“68-105 Primary uses allowed. In the MH, manufactured home dwelling district no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
[Accessory dwelling unit](#)
Caretaker's or guard's
residence Home occupation
Off-street parking
Swimming pool,
private”

SECTION 16.

Subsection (b) of Section 69-105, “Primary uses allowed”, of Section 69, “MHP, manufactured housing park district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“69-105 Primary uses allowed. In the MHP, manufactured housing park district no building or land shall be used and no building constructed, reconstructed, altered or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

...

(b) Accessory uses allowed:

Accessory building,
agricultural Accessory
building, residential
[Accessory dwelling unit](#)
Caretaker's or guard's
residence Home occupation
Off-street parking
Swimming pool,
private”

SECTION 17.

Subsection (a) of Section 75-110, “Specific use permit”, of Section 75, “NS, neighborhood service district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“75-110 Specific use permit.

Unless otherwise stated, the following uses require a site plan meeting the requirements of section 131, site plan regulations, and a regular public hearing meeting the requirements of section 9, public hearing, before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

(a) Uses allowed with a specific use permit:

Accessory dwelling unit

Community center, private

Convenience store with automotive fuel
sales Drapery, sewing or weaving shop

Drugstore or pharmacy

See conditions in subsection (b)

below. Laundry/clean self service

Office, business and
professional Office, medical
or dental

Pet shop

See conditions in 75-110(b) below.

Restaurant or cafeteria (not of drive-in
type) See conditions in 75-110(b) below.

Retail shop, apparel, gift and accessories and similar
items See conditions in 75-110(b) below.

Studio, artist and/or
photographer See conditions in
75-110(b) below. Studio, health
and fitness

See conditions in 75-110(b)
below. Studio, music, dance,

and/or drama See conditions in
75-110(b) below. Travel bureau
or consultant
See conditions in 75-110(b)
below. Variety or similar retail
store
See conditions in 75-110(b) below.”

...

SECTION 18.

Subsection (a) of Section 76-110, “Specific use permit”, of Section 76, “GR, general retail district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“76-110 Specific use permit.

Unless otherwise stated, the following uses require a site plan meeting the requirements of section 131, site plan regulations. A public hearing is required before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit:

(a) Uses allowed with a specific use permit:

[Accessory dwelling unit](#)

Amusement, commercial (indoor)

Automobile/truck rental service, except no rental trucks or trailers shall be located in any multi-use/multi-tenant shopping center.

1. In considering whether to grant a specific use permit, the following shall be considered while granting an SUP:
 - a. Number and location of parking of rental units versus customer parking.
 - b. Type of vehicles and trailers to be let.
 - c. Traffic impact on surrounding areas.
 - d. Location and screening of outdoor service areas.
 - e. Screening from residentially zoned properties.
 - f. Hours of operation.
 - g. Lighting.

Automotive oil change and lubrication
shop (See conditions in 76-110(b)
below)

Batting cages
(See conditions in 76-110(b)

below) Community center, private

Fairgrounds or exhibition area
(See conditions in 76-110(b) below) Paint

shop Liquor store

1. In considering whether to grant a specific use permit, the following supplemental regulations must be met unless otherwise approved by City Council:
 - a. Shall not be located within the Old Town Overlay District or within 300 feet of IH-35 frontage without City Council approval.
 - b. Minimum building size shall be 5,000 sq. ft.
 - c. No liquor stores shall be allowed within 1,000 feet of another liquor store as measured in a straight line from their respective property lines.
 - d. A liquor (package) store shall not have walk-up window access and shall not have drive-through or drive-up access.
 - e. The liquor store has an independent entrance for deliveries and customers. "Partitioned" means walls or other physical divisions separating the liquor store from all other retail or commercial establishments.
 - f. All windows shall be either polycarbonate or have a protective shatterproof film installed on both sides and glass window.
 - g. Shall provide additional landscaping between front facade and the parkway.
 - i. Shall maintain a 15-foot landscaping buffer with canopy trees planted no less than 20 feet on center along entire frontage.

Plumbing shop (with outside storage)

Taxidermy shop”

...

SECTION 19.

Subsection (a) of Section 77-110, “Specific use permit”, of Section 77, “CC, central

commercial district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“77-110 Specific use permit. The following uses require an ordinance amendment. Unless otherwise stated, a site plan meeting the requirements of section 131, site plan regulations and a public hearing are required before a recommendation is made by the planning and zoning commission and action taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

(a) Uses allowed with a specific use permit:

Accessory dwelling unit

Amusement, commercial

(indoor) Child care center

Community center,

private Electrical

substation Electrical

transmission Engine

repair (small)

Exhibition area

Feed store

Greenhouse or plant nursery (on-premises sales)

Greenhouse or commercial nursery (off-premises
sales) Local franchise utility

Natural gas regulating station

Parking lot or structure, commercial

(auto) Radio, microwave, TV tower

Radio, television station

School, commercial trade

Sewage pumping station

Swimming pool,

commercial Taxidermy

Telephone exchange, switching, relay, or transmission station

Water pumping station

Water storage facility”

...

SECTION 20.

Subsection (a) of Section 78-110, “Specific use permit”, of Section 78, “C, commercial district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“78-110 Specific use permit. See section 130, specific use permit. The following uses require an ordinance amendment. Unless otherwise stated, a site plan meeting the requirements of section 131, Site plan regulations and a public hearing are required before a recommendation is made by the planning and zoning commission and action is taken by the city council. In addition, the following minimum conditions must be met. Such conditions may not be construed as conditions precedent to the granting of the specific use permit.

(a) Uses allowed with a specific use permit:

Accessory dwelling unit

Amusement, commercial (indoor)

Animal pound, private

1. Facilities adjacent to residentially zoned property shall have no outside animal pens.
2. Screening between residentially zoned property with a 20-foot buffer and trees planted on 20-foot centers.

Automobile/truck rental service, except no rental trucks or trailers shall be located in any multi-use/multi-tenant shopping center.

1. In considering whether to grant a specific use permit, the following shall be considered while granting an SUP:
 - a. Number and location of parking of rental units versus customer parking.
 - b. Type of vehicles and trailers to be let.
 - c. Traffic impact on surrounding areas.
 - d. Location and screening of outdoor service areas.
 - e. Screening from residentially zoned properties.
 - f. Hours of operation.
 - g. Lighting.

Community center,

private Kennel

(indoor)

Liquor store

1. In considering whether to grant a specific use permit, the following supplemental regulations must be met unless otherwise approved by City Council:
 - a. Shall not be located within the Old Town Overlay District or within

300 feet of IH-35 frontage without City Council approval.

- b. Minimum building size shall be 5,000 sq. ft.
- c. No liquor stores shall be allowed within 1,000 feet of another liquor store as measured in a straight line from their respective property lines.
- d. A liquor (package) store shall not have walk-up window access and shall not have drive-through or drive-up access.
- e. The liquor store has an independent entrance for deliveries and customers. "Partitioned" means walls or other physical divisions separating the liquor store from all other retail or commercial establishments.
- f. All windows shall be either polycarbonate or have a protective shatterproof film installed on both sides and glass window.
- g. Shall provide additional landscaping between front facade and the parkway.
 - i. Shall maintain a 15-foot landscaping buffer with canopy trees planted no less than 20 feet on center along entire frontage

Miniwarehouse

- 1. No outside storage, sales, service or repair activities other than the rental of dead storage of units.
- 2. No stall or locker doors shall face any public streets or residentially zoned property.
- 3. Outdoor storage of trash receptacles shall be at the side or rear of the lot and completely screened by a wall or fence no less than six feet in height.

Miniature golf

course Petroleum

or gas well

Small tractor and farm equipment sales and repair

Tattoo studio

- 1. In considering whether to grant a specific use permit, the following shall be required:
 - a. Hours of operations (cannot commence application of a tattoo other than stated hours of operation)
 - i. No earlier than 10AM
 - ii. Sundays no later than 6PM
 - iii. All other days no later than Midnight

- b. Tattoo Studios not allowed to operate in residential areas
 - c. Signage requirement
 - i. No flashing signs
 - ii. No neon signs
 - d. No loitering on permitted premises
2. In considering whether to grant a specific use permit, the following shall be considered in addition to the other factors to be considered while granting an SUP:
 - a. Distance to residentially zoned areas, churches, schools, day-care facilities, and other tattoo studios.
 3. The application for a building permit shall be accompanied by a copy of the applicant's state license.
 4. After five affirmative findings of violations of either state or local regulations relating to the operations of the tattoo studio the specific use permit will be automatically terminated.

Taxidermy Zoo, public”

...

SECTION 21.

Section 85-105, “Use regulations”, of Section 85, “PD, planned development district”, of Article III, “Zoning Districts,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

“85-105 Use regulations. The permitted use or uses of property located in the PD district shall be determined at the time the district is approved. A PD district may include a combination of different dwelling types and/or a variety of residential and nonresidential land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity.

Planned Development Districts shall be used in conjunction with base zoning district, unless changed by zoning amendment. Base districts or changes in existing base districts may be requested at the same time planned development districts are requested. Unless otherwise specified, all permitted uses in the base district are applicable for a planned development district.

In the PD District, uses shall conform to the standards and regulations of the base-zoning district to which it is most similar. The base zoning district shall be stated in the granting Ordinance. All applications to the City shall list all requested deviations from the standard requirements set forth throughout this Code (applications without this list will be considered incomplete) specifically any deviation not requested is deemed to comply with this Code even if shown graphically on a Site Plan. The Planned Development District shall conform to all

other sections of this Code unless specifically excluded in the granting Ordinance.”

Section 132, “General yard requirements”, of Article V, “Supplemental Regulations,” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to add Section 132-116, “Accessory dwelling unit (ADU) regulations”, to read as follows:

“132-116 Accessory dwelling unit (ADU) regulations.

- (a) There is a limit of one (1) accessory dwelling unit per lot.
- (b) The accessory dwelling unit shall be subordinate to the primary structure in overall height and size and placed in accordance with applicable zoning district setbacks.
- (c) ADUs shall not be larger than a GFA (Gross-Floor-Area) of 900 square feet or one-half the GFA of the Primary Dwelling, whichever is smaller.
- (d) Either the primary residence or ADU shall be occupied by the property owner.
- (e) Short-term rental (STR) permits will not be issued for ADUs.
- (f) One additional off-street parking space, accessible from the current driveway, shall be required prior to approval of the final inspection for the ADU.
- (g) Additional utility meters and the issuance of separate addresses for the ADU are prohibited.
- (h) ADUs in the following zoning districts shall require approval of a specific use permit (SUP):
 - 1. MF-1, multiple-family dwelling district.
 - 2. MF-2, multiple-family dwelling district.
 - 3. NS, neighborhood service district.
 - 4. GR, general retail district.
 - 5. CC, central commercial district.
 - 6. C, commercial district.

Additionally, ADUs approved per SUP shall be occupied by the building owner and shall require one dedicated parking spot.”

SECTION 22.

The recitals of this Ordinance are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 23.

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

SECTION 24.

The terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

SECTION 25.

Any complaint, notice, notice of violation, action, cause of action, hearing request, appeal, or claim which prior to the effective date of this Ordinance that has been initiated or arisen under or pursuant to any other ordinance(s) shall continue to be governed by the provision of that ordinance or ordinances, and for that purpose that ordinance or ordinances shall be deemed to remain and shall continue in full force and effect.

SECTION 26.

It is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Burleson, and that the sections of this ordinance may be renumbered or relettered to accomplish such intention.

SECTION 27.

It is hereby officially found and determined that the meetings at which this ordinance is passed were open to the public and that public notice of the time, place, and purpose of said meetings were given as required by law.

SECTION 28.

Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in V.T.C.A. Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint

filed.

SECTION 29.

Pursuant to Section 36 of the Charter of the City of Burleson, that this ordinance shall take effect after its passage and publication, and that the City Secretary is hereby directed to give notice of the passage of this ordinance by causing the caption or title and the penalty clause of this ordinance to be published once in a newspaper of general circulation in the city and on the city's website.

AND IT SO ORDAINED.

PASSED AND APPROVED: the _____ day of _____, 20____.

First Reading: the _____ day of _____, 20____.

Final Reading: the _____ day of _____, 20____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

Amanda Campos, City Secretary

APPROVED AS TO FORM & LEGALITY:

E. Allen Taylor, Jr., City Attorney

City Council Regular Meeting

DEPARTMENT: Development Services
FROM: Tony McIlwain, Director
MEETING: October 5, 2026

SUBJECT:

279 W Hidden Creek PKWY (ZC26-007): Hold a public hearing and consider and take possible action on a zoning ordinance change request on approximately 8.216 acres of land from "PD", Planned Development, to "PD", Planned Development. *(First and Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

On April 27, 2026, an application was submitted by Tim Windmiller, on behalf of Ascent Development and The Standard at Chisen Hall (owners) to amend the existing Planned Development language on approximately 8.216 acres of land.

DEVELOPMENT OVERVIEW:

As stated above, this site is zoned as a Planned Development as part of the Hidden Vistas Planned Development for the use as a commercial development. The developers are proposing amendments to the existing Planned Development standards to allow:

- Section 4.04-“The maximum permitted height of all buildings within the commercial tracts of the Planned Development District shall be four (4) stories, with the exception of Building B, which may go up to but not exceed eight (8) stories.”
- Section 7(7) Windows: “Glass shall not exceed 50 percent of any one façade of a building, with the exception of Building B.”

The applicant is proposing to construct a 6-story boutique hotel where only a 4-story building is currently allowed. Additionally, the building is proposed to exceed the window allowance (see illustration). The proposed development standards have been pared down to only apply to Lot 3, Block 1, of the Hidden Vistas Addition (The Standard at Chisen Hall) and would not change any development standards for the remaining Hidden Vistas Planned Development. The latest approved Planned Development for Hidden Vistas is attached as exhibit 4.

This site is designated in the Comprehensive Plan as Floodplain/ Open Space

This land use category is provided to identify public parks and open spaces within Burleson. This designation incorporates parks and trails proposed within the City’s Parks, Recreation and Trails Master Plan as well as floodplain and flood prone areas. Development within the floodplain areas must adhere to ordinances related to floodplain development. This area is not intended to be zoned as Floodplain/Open Space, but to show areas to be preserved within the specified zoning district

Staff has determined that the requested use of Planned Development “PD” for the continued construction for commercial development aligns with the Comprehensive Plan.

RECOMMENDATION:

Recommend approval for an ordinance for the zoning change.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

8/4/2006: City Council approved the Planned Development for Hidden Vistas.

5/24/2007: City Council approved an amended Planned Development for Hidden Vistas.

3/12/2012: City Council approved an amended Planned Development for Hidden Vistas.

8/20/2012: City Council approved an amended Planned Development for Hidden Vistas.

12/8/2014: City Council approved an amended Planned Development for Hidden Vistas.

4/20/2015: City Council approved an amended Planned Development for Hidden Vistas.

3/20/2017: City Council approved an amended Planned Development for Hidden Vistas.

5/7/2018: City Council approved an amended Planned Development for Hidden Vistas.

9/15/2026: *The Planning and Zoning Commission recommended approval 7 to 0.*

REFERENCE:

<https://ecode360.com/39939092>

<https://ecode360.com/39939152>

FISCAL IMPACT:

None.

STAFF CONTACT:

Tony D. McIlwain, AICP, CFM
Development Services Director
tmcilwain@burlesontx.com
817-426-9684



Case ZC26-007

PRESENTED TO CITY COUNCIL – 10.5.2026

TONY MCILWAIN

DEVELOPMENT SERVICES DIRECTOR

ZC26-007– 279 W Hidden Creek PKWY

Location:

- 279 W Hidden Creek PKWY

Applicant:

- Tim Windmiller with Ascent Development and the Standard at Chisen Hall (Owners)

Item for approval:

Zoning Change from “PD” Planned Development to “PD” Planned Development district (Case ZC26-007).



ZC26-007– 279 W Hidden Creek PKWY

The following amendments within the Planned Development standards are proposed:

Section 4.04-“The maximum permitted height of all buildings within the commercial tracts of the Planned Development District shall be four (4) stories, with the exception of Building B, which may go up to but not exceed eight (8) stories.”

Section 7(7) Windows: “Glass shall not exceed 50 percent of any one façade of a building, with the exception of Building B.”



Zoning

Planned Development



Comprehensive

Floodplain/Open Space



ZC26-007 – 279 W Hidden Creek PKWY

Rendering of
Future Building



SITE PARKING DATA					
USE	REQS	REGULATIONS	PROVIDED SPACES	PROVIDED SPACES	
EXISTING PD	BUILD B: RESTAURANT/ OFFICE/ RETAIL	40,000 SQ. FT.	1 PER 200 S.F.	100	100
PROPOSED PD	BUILD B: HOTEL/ RETAIL/ RESTAURANT	VARIABLE 300,000 SQ. FT.	VARIABLE 300,000 SQ. FT.	100	100
	BUILD B: HOTEL	80 ROOMS	1 PER HOTEL ROOM	80	80
	BUILD B: COMMON AREAS	10,000 SQ. FT.	1 PER 100 S.F.	40	40
	BUILD B: RESTAURANT/ RETAIL	11,000 SQ. FT.	1 PER 100 S.F.	30	30

COMPLETE SITE PLAN
SCALE: 1" = 40'

CSP26-010
ZC26-007

WINDMILLER
CUSTOM HOMES

279 W. HIDDEN CREEK PKWY, SUITE 1200
BURLESON, TEXAS 76028
OFFICE - 817.764.0001
INFO@WINDMILLERPHOTO.COM

PROJECT INFORMATION

PLAN NAME: THE BAILEY HOUSE

PROPERTY ADDRESS: 313 W. HIDDEN CREEK PKWY

LOT/LOCK: ##

MONTEBELLO
ARCHITECTURE + DESIGN
279 W. HIDDEN CREEK PKWY, SUITE 1200
BURLESON, TEXAS 76028
OFFICE - 817.764.0001
INFO@MONTEBELLOPHOTO.COM

PROJECT MANAGER: M.C.
REVIEWED BY: M.C.
PLOT DATE: 8/15/2024
PRINT/REVISION LOG:

NO.	DATE	DESCRIPTION

SD1.13

ZC26-007 – 279 W Hidden Creek PKWY

Properties within 300' of Case ZC26-007

Public Hearing Notice:

- Public notices were mailed to property owners (based on current JCAD records) within 300 feet of subject property.
- Published in the newspaper.
- Sign Posted on the property.



ZC26-007 – 279 W Hidden Creek PKWY

P&Z Summary:

- The Commission discussed the building height and design of the building.
- There were no speakers other than the applicant.
- The Commission recommended approval by a vote of 7 to 0.

Staff Recommendation:

- Staff has determined that the requested zoning district of Planned Development would align with the Comprehensive Plan.
- Staff recommends approval of the ordinance.

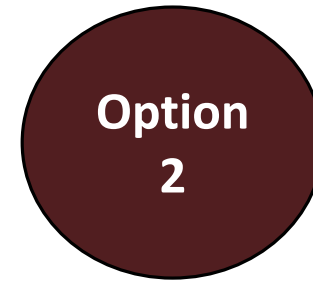
Floodplain/Open Space

This land use category is provided to identify public parks and open spaces within Burleson. This designation incorporates parks and trails proposed within the City's Parks, Recreation and Trails Master Plan as well as floodplain and flood prone areas. Development within the floodplain areas must adhere to ordinances related to floodplain development. This area is not intended to be zoned as Floodplain/Open Space, but to show areas to be preserved within the specified zoning district.

All zoning districts may apply.



Approve



Deny



Questions / Comments

Tony McIlwain
Development Services Director
tmcilwain@burlesontx.com
817.426.9684

Ordinance

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 8.216 ACRES LOCATED IN THOMAS CHANDLER SURVEY ABSTRACT NUMBER 127, BEING ALL OF LOT 3, BLOCK 1, HIDDEN VISTAS ADDITION (THE ZONING AREA), CITY OF BURLESON, JOHNSON COUNTY, TEXAS, FROM “PD”, PLANNED DEVELOPMENT ZONING DISTRICT TO “PD”, PLANNED DEVELOPMENT ZONING DISTRICT (THE STANDARD); MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council passed, approved, and adopted Ordinance B-582, being the Zoning Ordinance and Map of the City of Burleson, Texas, showing the locations and boundaries of certain districts, as amended, and codified in Appendix B of the City of Burleson Code of Ordinances (2005) (the “Zoning Ordinance and Map”); and

WHEREAS, an application for a zoning change was filed by **Tim Windmiller representing The Standard at Chisen Hall** on **April 27, 2026**, under **Case Number ZC26-007**, on property described herein below filed application with the City petitioning an amendment of the Zoning Ordinance and Map so as to rezone and reclassify said property from its current zoning classification; and

WHEREAS, the Planning and Zoning Commission of Burleson, Texas, held a public hearing on said application after at least one sign was erected upon the property on which the change of classification is proposed in accordance with the Zoning Ordinance and Map, and after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such notice being served by depositing the same, properly addressed and postage paid, in the U.S. mail; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Burleson, Texas voted **7 to 0** to recommend approval to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of **Planned Development (PD)** to **Planned Development (PD)**; and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Burleson, Texas, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Burleson, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Burleson, Texas, has changed in character since the enactment of its classification of **Planned Development (PD)** and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, the City Council of the City of Burleson, Texas, may consider and approve certain ordinances or ordinance amendments at only one meeting in accordance with Section 2-4 of the City of Burleson Code of Ordinances (2005); and

WHEREAS, the City Council of the City of Burleson, Texas, finds that this Ordinance may be considered and approved in only one meeting because the provisions of this Ordinance concern an individual zoning case that does not propose a change to the language of the City of Burleson Code of Ordinances.

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

SECTION 1

A. That the Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, as shown by the Legal Description attached as Exhibit A and Exhibit B (the Zoning Area), incorporated herein by reference, by changing the zoning of said property from an existing Planned Development Zoning, to a Planned Development district for Commercial development use, with the area and location for such uses being depicted on the Site Plan as shown on the attached Exhibit B incorporated herein by reference.

B. All development occurring within the boundaries of the Zoning Area shall conform to all applicable land use and development requirements prescribed in the City of Burleson, Texas, Code of Ordinances, with additional restrictions and regulations provided herein.

SECTION 2

DEVELOPMENT STANDARDS

Main Uses Permitted

The following uses are the only uses permitted:

3.00 Commercial/Retail/Office

3.01 General Description: This Commercial tract will provide the ability to encourage and accommodate the development of office, retail and commercial center(s).

3.02 Land Uses: Uses identified in Article 3, Section 78, Zoning Districts, of the Burleson Zoning Ordinance, under the heading of Commercial District (C) shall be permitted within the Planned Development District with the additional permitted uses listed below:

Restaurant or cafeteria with drive through service

Condominiums above Commercial Buildings

3.03 Prohibited Uses: The following are **prohibited**:

Airport or landing Field

Auto, new, used auto sales: outdoors

Auto parts sales and accessory sales (with outside storage)

Auto sales or auction

Batting cages

Bottling works

Cemetery or mausoleum

Country club, private

Fairgrounds or exhibition area

Feed store

Fraternity or sorority

Golf course; commercial

Helistop

Mold and tool shop

Monument manufacturing

Parking lot, trucks/trailers Pawnshop

Playfield or stadium (public)

Railroad passenger terminal

Railroad team track

Rodeo grounds

Theater: open drive-in

Tool rental

Trailer, manufactured home sales, or rental, assembly and manufacturing

3.04 Accessory uses allowed:

Accessory building, (neighborhood service, commercial, business, or industry) Off-street parking

Swimming pool

Lot Development Regulations

The following regulations apply to the tract as specified below:

4.00 Commercial/Retail/Office

All development regulations within the tract shall be subject to the requirements of Section 78-120 (C, Commercial District Development Regulations) of the City of Burleson Zoning Ordinance unless otherwise stated below.

4.01 Front yard – Eaves and roof extensions may project into the required front yard for a distance not to exceed six (6) feet.

4.02 Side yard - Eaves and roof extensions may project into the required side yard for a distance not to exceed two (2) feet.

4.03 Land Area Permitted: The amount of acreage permitted in the commercial tracts shall be outlined in the attached Zoning Exhibit/Development Plan.

4.04 Building Heights: The maximum permitted height of all buildings within the commercial tracts of the Planned Development District shall be four (4) stories, with the exception of Building B, which may go up to but not exceed eight (8) stories.

4.05 Lot Area: The minimum area of any lot shall be ten thousand (10,000) square feet.

4.06 Lot Coverage: In no case shall more than fifty (50) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings.

SECTION 5

Landscape Regulations

All Planned Development Districts shall be subject to the requirements of the following sections of Chapter 86 Landscaping, Trees and Vegetation of the City of Burleson Code of Ordinances along with additional regulations listed below:

Section 86-103 Landscaping generally

Section 86-104 Landscaping plan required

Section 86-105 Location criteria

Section 86-106 Credits for landscape area reduction

Section 86-107 Installation and Maintenance

Street Trees: Street trees shall measure 3 inches in caliper at the time of planting. Suitable trees shall be from the following list:

Bald Cypress Pecan

Bradford Pear

Texas Sophora

Sweet Gum

Live Oak

Cedar Elm

Chinese Pistache Bur Oak

Shumard's Oak Deciduous Holly

Red Oak

Street trees shall not be located in any of the following areas:

a. Within an area that the mature canopy of the tree will interfere with overhead utility lines.

b. Within an area that the mature root zone of the tree will interfere with underground public utility lines (including water lines, sewer lines, transmission lines or other utilities).

- c. Within ten (10) feet of a fire hydrant; or,
- d. Closer than thirty-five (35) feet to any street corner, measure from the point of nearest intersection curbs or curblines.

A fifteen (15) foot wide strip of property devoted to landscaping shall be located adjacent to the edge of street paving that is adjacent to the south side of Hidden Creek Parkway. These areas shall be landscaped with trees identified on the preferred tree list.

- a. Detailed planting plans shall be submitted at the time of site plan and preliminary plat review and subject to approval by the Development Assistance Committee.
- b. Landscape areas shall be equipped with permanent irrigation systems.
- c. Public sidewalks shall be permitted within landscape areas.
- d. Visibility triangles, as required by the Burleson Zoning Ordinance shall be maintained at all driveway and street intersections.
- e. Landscape areas shall be considered common areas. As such, installation and perpetual maintenance shall be the responsibility of the property owners' association, the commercial property owner, or the multi-family property owner, respectively. The City of Burleson shall have no responsibility for the installation, watering, or other maintenance of the landscape areas established by this Section.

SECTION 6

Parking Regulations

All Planned Development Districts shall be subject to the requirements of Appendix B Zoning Ordinance Section 134 Vehicle Parking Regulations of the City of Burleson Code of Ordinances along with additional regulations listed below:

- (1) Parking and driveways shall be permitted within all required yard areas and must be paved with asphalt or concrete.
- (2) Handicapped parking shall be as set forth in the State of Texas Architectural Barriers Act.

SECTION 7

Architectural Development Standards

All buildings within all Planned Development Districts shall have an exterior finish of glass, stone, stucco, brick, tile, concrete, exterior wood or similar materials of any combination thereof. The use of wood as a primary, exterior building material shall be limited to a maximum of twenty-five (25) percent of the total exterior wall surfaces. Construction of buildings shall be subject to the requirements of Chapter 10 Buildings and Building Regulations Article XVI Masonry Construction Standards of the City of Burleson Code of Ordinances along with additional regulations listed below:

Commercial/Retail/Office

Office, Retail and Commercial District:

- (1) **Masonry:** Structures shall be constructed of masonry, stone, or other cementitious products, such as those offered by James Hardie. Concrete tilt walls may be appropriate as the principle component of office, retail and commercial construction. Concrete tilt walls shall have a finish or texture of pebble or stucco, or shall have a brick or stone pattern as part of the wall created in the stage of formation. Masonry may be brick or stone of earth tone colors, if

color and pattern are added to the form. However, it would be consistent to permit other brick colors, as accent brick, provided that in combination accent brick and non-masonry materials do not exceed the 25 percent non-masonry benchmark. Stone shall not be painted. Brick shall be painted only for the purpose of covering an inappropriate brick color with an earth-tone color.

(2) **Concrete Surfaces and Surfaces Other Than Masonry:** Exterior concrete wall surfaces and wall surfaces other than masonry shall consist of no more than three colors - a base color, and/or a trim color, and/or an accent color. The City shall permit a base color on up to a 100% of the surface area of any one façade of a building. However, the City shall permit other than a base color on up to only 15% of the surface area of any one façade, and an accent color on up to only 10% of the surface area of any one facade. For calculation purposes, wall surfaces shall include eaves, gables and parapets, but should exclude roofs, awnings or signs.

(3) **Attached Signs:** Signs attached to walls shall consist of individually mounted channel letters. There should be no restriction on the form they take, or on their typestyle, but colors should be restrained and, in unified developments, the same. Back-lit plastic in white, black, or neutral colors is appropriate, as well as back-lit metal in natural finishes or painted in white, black or neutral colors.

(4) **Awnings:** Adding accent color through the use of awnings is appropriate within the commercial environment. Awnings shall be canvas, or a lusterless material which closely resembles canvas, at least 80 percent of which is a single deep or neutral solid color, the remaining up to 20 percent, if different, shall be contrasting. For example, if the majority is a deep solid, the trim shall be a neutral solid. If the majority is a neutral solid, the trim shall be a deep solid. Awnings shall not be back-lit. Lettering and logos shall be limited to a monogram.

(5) **Lights:** Parking lot light standards shall not exceed 30 feet in height. Lighting shall be required to minimize glare onto single family residential development.

(6) **Roofs:** Flat roofs and parapet walls around flat roofs shall have a cornice, cap or other detail with a vertical dimension equal to at least 3 percent of the height of the building. Pitched roofs shall have roofing material of a lusterless neutral color. Green colors shall be limited to dark forest greens, slate greens, pale bluish-gray greens and copper patinas. Metal roofs shall be standing seam either with a baked-on lusterless finish made of copper.

(7) **Windows:** Glass shall not exceed 50 percent of any one façade of a building, with the exception of Building B. It shall be clear or tinted, including art glass and stained glass, but not mirror reflective. If used for advertising purposes, stained glass on any facade shall be limited to 10 percent of the total glass area on the facade.

(8) **Pavement:** Pavement shall be concrete or asphalt installed in accordance with the Burleson standards.

Institutional Uses: Unless a specific exception is granted by the Development Assistance Committee at a time of site plan approval, materials for institutional buildings shall have the same as those for office, retail and commercial development. One exception centers on the use of stucco for Romanesque and Spanish Colonial styles. Since churches and schools are permitted within residential zoning districts, the City may, at the time of site plan approval, allow stucco by special use permit. Therefore, when stucco is permitted in these styles, terra

cotta and burnt terra-cotta tile roofs would be architecturally consistent. Also, reflective metal may be appropriate for the spires and domes of landmark institutional buildings, if approved by the Burleson City Council at the time of site plan approval.

Section 3.

The findings and recitals set forth above in the preamble of this ordinance are incorporated into the body of this ordinance as if fully set forth herein.

Section 4.

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

Section 5.

This ordinance shall be cumulative of all provisions of ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Burleson's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

Section 6.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 7.

An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for that purpose.

Section 8.

Any person, firm, association of persons, company, corporation, or their agents, its servants, or employees violating or failing to comply with any of the provisions of this article shall be

fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

Section 9.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED:

First and Final Reading: the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:
APPROVED AS TO FORM:

Amanda Campos, City Secretary

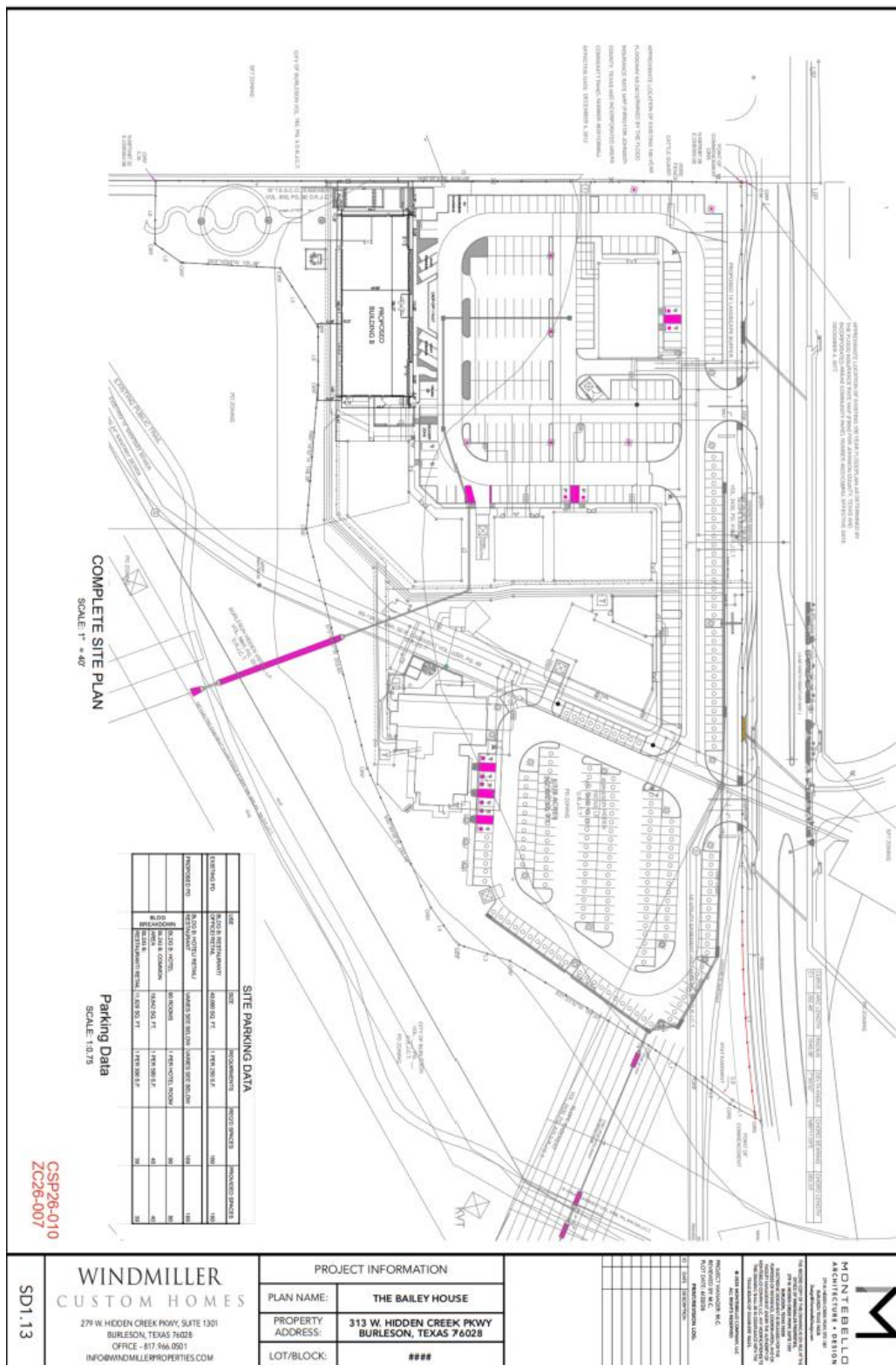
E. Allen Taylor, Jr., City Attorney

EXHIBIT "A"

EXHIBIT “B”



Site Plan



ORDINANCE

AN ORDINANCE AMENDING ORDINANCE D-081-07 (CSO# 608-03-2017) PD PLANNED DEVELOPMENT ZONING DISTRICT, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF 198.87 ACRES IN THE THOMAS CHANDLER SURVEY ABSTRACT NUMBER 127, JOHNSON COUNTY, TEXAS; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application was filed by Peter Thomas, Burleson Hidden Vistas, LP (property owner) for the Modification of the Hidden Vistas Planned Development Ordinance on January 4, 2018 and includes a Memorandum of Understanding regarding parkland dedication and development regulations, under Case Number 18-002; and,

WHEREAS, ordinance (CSO# 608-03-2017) PD Planned Development Zoning District was approved by the City of Burleson City Council on March 20, 2017; and,

WHEREAS, ordinance (CSO# 237-04-2015) PD Planned Development Zoning District was approved by the City of Burleson City Council on April 20, 2015; and,

WHEREAS, ordinance D-081-07 (CSO#106-12-2014) PD Planned Development Zoning District was approved by the City of Burleson City Council on December 8, 2014; and,

WHEREAS, ordinance D-081-07(B0212) PD Planned Development Zoning District was approved by the City of Burleson City Council on August 20, 2012; and

WHEREAS, ordinance D-081-07(A0212) PD Planned Development Zoning District was approved by the City of Burleson City Council on March 5, 2012; and

WHEREAS, ordinance D-081-07 PD Planned Development Zoning District was approved by the City of Burleson City Council on May 24, 2007; and

WHEREAS, ordinance D-070-06 PD Planned Development Zoning District was approved by the City of Burleson City Council on August 24, 2006; and

WHEREAS, an application for a zoning change was filed by Peter Thomas on October 20, 2014, under Case Number 14-084; and

WHEREAS, the City of Burleson has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council and Planning and Zoning Commission have held a public hearing and the Planning and Zoning Commission has made a recommendation on the proposed zoning amendment; and

WHEREAS, the City Council has determined that the proposed zoning ordinance amendment is in the best interest of the City of Burleson.

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

SECTION 1 Development Plan

The Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, as shown on the Zoning Exhibit Development Plan attached as Exhibit A and described by the metes and bounds description attached as Exhibit B.

Development and use of the property must comply with the development plan dividing the property into eight tracts of land. In the event of a conflict between the provisions of this ordinance and the development plan, the provisions of this ordinance control.

SECTION 2 APPLICABILITY

(a) Unless otherwise stated, the definitions in Appendix B Zoning Ordinance apply to this ordinance.

(b) Unless otherwise stated in this ordinance, no other ordinance shall apply.

SECTION 3 Main Uses Permitted

The following uses are the only uses permitted in each specified tract:

3.00 Tracts A-1, A-2 and C-3 Commercial/Retail/Office

3.01 General Description: The Commercial tracts will provide the ability to encourage and accommodate the development of office, retail and commercial center(s). The

provisions of this section shall apply to Tract A-1, A-2, and C3 as designed on the Zoning Exhibit Development Plan.

3.02 Land Uses: Uses identified in Article 3, Section 78, Zoning Districts, of the Burleson Zoning Ordinance, under the heading of Commercial District (C) shall be permitted within Tracts A-1, A-2, and C-3 in the Planned Development District with the additional permitted uses listed below:

Child Care Center will be permitted on Tract A-1 with the following caveats:

It is recognized that Hidden Creek Pkwy is a major collector street, designed, intended and utilized to move large volumes of traffic. Therefore, any Child Care Center located within Tract A-1 will be carefully reviewed during the commercial site plan process to ensure that adequate safeguards are in place to ensure separation from the roadway and screening of child accessible areas from vehicular traffic.

Restaurant or cafeteria with drive through service
Mini-warehouses in Tract A-2, subject to Commercial Site Plan approval by the City Council

3.03 Prohibited Uses: The following are **prohibited**:

Airport or landing Field
Auto, new, used auto sales: outdoors
Auto parts sales and accessory sales (with outside storage)
Auto sales or auction
Batting cages
Bottling works
Cemetery or mausoleum
Country club, private
Fairgrounds or exhibition area
Feed store
Fraternity or sorority
Golf course; commercial
Helistop
Mold and tool shop
Monument manufacturing
Parking lot, trucks/trailers
Pawnshop
Playfield or stadium (public)
Railroad passenger terminal
Railroad team track
Rodeo grounds
Theater: open drive-in
Tool rental
Trailer, manufactured home sales, or rental, assembly and manufacturing

3.04 Accessory uses allowed:

Accessory building, (neighborhood service, commercial, business, or industry)
Off-street parking
Swimming pool

3.10 Tracts B-1 and B-2 Open Space

3.11 General Description: All open space lots provided with a specific tract will be maintained by a Home Owners Association. This will include all improvements within the floodway/floodplain area, i.e. ponds, walks, etc. not specifically conveyed to the City of Burleson.

3.12 Permitted Uses: Land uses permitted within tract B-2 and further described on the Zoning Exhibit Development Plan shall be as follows:

Gas Wells

3.20 Tracts C-1, D-1 and D-2 Single Family Residential

3.21 General Description: The Residential tracts are intended to accommodate a variety of single family residential uses. The residential units will be comprised of Single Family Type I and Single Family Type II products. Development standards for each of the aforementioned housing types are outlined as follows. The provisions of this Section apply to tracts C-1, D-1 and D-2 as designated on the Zoning Exhibit Development Plan. The provisions shall also apply to any single family development that is to be located in Tract C-2 as designated on the Zoning Exhibit Development Plan.

3.22 Permitted Uses: Land uses permitted within the residential tract listed in Section 3.21 and further described on the Zoning Exhibit Development Plan shall be as follows:

Residential units as described herein

Private or public recreation facilities

Churches/rectories

Schools – public, private, or state accredited

Parks, playgrounds and neighborhood recreation facilities including, but not limited to, swimming pools, clubhouse facilities and tennis courts

Fire stations and public safety facilities

Real estate sales offices during the development and marketing of the Planned Development

Public streets and private streets

Electronic security facilities including gatehouse and control counter

Accessory buildings and uses customarily incidental to the permitted uses

Temporary buildings and uses incidental to construction work on the premises, which shall be removed upon completion.

SECTION 4

Lot Development Regulations

The following regulations apply to each tract as specified below:

4.00 Tracts A-1, A-2, and C3 Commercial/Retail/Office

All development regulations within tracts A-1, A-2, and C3 shall be subject to the requirements of Section 78-120 (C, Commercial District Development Regulations) of the City of Burleson Zoning Ordinance unless otherwise stated below.

4.01 Front yard – Eaves and roof extensions may project into the required front yard for a distance not to exceed six (6) feet.

4.02 Side yard – Eaves and roof extensions may project into the required side yard for a distance not to exceed two (2) feet.

4.03 Land Area Permitted: The amount of acreage permitted in the commercial tracts shall be outlined in the attached Zoning Exhibit/Development Plan.

4.04 Building Heights: The maximum permitted height of all buildings within the commercial tracts of the Planned Development District shall be four (4) stories.

4.10 Tracts C-1, C-2, D-1 and D-2 Single Family Residential

4.11 Density - Dwelling unit per acre densities for each tract shall be based on the net acreage of the tract. The maximum allowable densities and unit counts are not transferable between single family tracts.

Tract C-1	Type I	4.5 dwelling units per net acre
Tract C-2	Type II	5.0 dwelling units per net acre

Tract D-1	Type I	4.5 dwelling units per net acre
Tract D-2	Type I	5.5 dwelling units per net acre

The amount of acreage in each single family residential tract shall be outlined in the attached Zoning Exhibit/Development Plan. Net acreage is the total area of a tract defined and described on the Zoning Exhibit/Development Plan, minus the area to be dedicated for parkland and right-of-way dedications for the proposed 90' right-of-way and the proposed 60' collector. The single family residential tracts acreage and density maximums are subject to the Planning and Zoning Commission and City Council approval of final alignments of the proposed Thoroughfare and the proposed 60' collector at the time of platting.

4.12 Minimum Dwelling Size: The minimum floor area, exclusive of garages, breezeways and porticos, for single family residential units shall be:

Tract C-1 – 2,000 square feet
 Tract C-2 – 1,200 square feet
 Tract D-1 – 2,000 square feet
 Tract D-2 – 2,000 square feet

4.13 Single-Family Type I (Tracts C-1, D-1 and D-2): Single-family Type I units are a form of single family, detached housing. This residential type will consist of smaller units and lots, having access and frontage on a public or private street. Should private streets be desired, the ownership and maintenance responsibility shall be the Homeowners Association. Building and area requirements are as follows:

4.13.0 Lot Area: The minimum area of any lot shall be six thousand (6,000) square feet.

4.13.1 Lot Coverage: In no case shall more than seventy-five (75) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, deck, patios, driveways, walks, and other paved areas shall not be included in determining maximum lot coverage.

4.13.2 Lot Width: The minimum width of any lot shall not be less than sixty (60) feet at the building line, except that lots at a terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of fifty-five (55) feet at the building line; provided all other requirements of this section are fulfilled.

4.13.3 Lot Depth: The minimum depth of any lot shall be one hundred (100) feet, except that lots at the terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum lot depth, measured at mid-point on front and rear lot lines, of ninety (90) feet; provided all other requirements of this section are fulfilled.

4.13.4 Front Yard: The minimum depth of the front yard shall be fifteen (15) feet, not including front entry garages, "J" swing garages will be allowed. The minimum depth of the front yard shall be twenty (20) feet to the face of the garage. Unenclosed front porches, roof eaves, chimneys and other similar architectural elements may extend a maximum of four (4) feet into the front yard except that no portion of a structure including roof eaves may encroach into any utility easement.

4.13.5 Side Yard: The minimum side yard on each side of a lot shall be five (5) feet. No portion of a structure including roof eaves may encroach into any utility easement. A side yard adjacent to a side street shall not be less than fifteen (15) feet.

4.13.6 Rear Yard: The minimum depth of the rear yard shall be ten (10) feet. No portion of a structure including roof eaves may encroach into any utility easement.

4.13.7 Building Height: Buildings shall be a maximum of two and one-half (2 ½) stories.

4.14 Single-Family Type II (Tract C-2): Single-Family Type II units are a form of single family, detached housing. This residential type is designed to provide housing at a slightly higher density than permitted in Single-Family Type I housing, having access and frontage on a public or private street. Building and area requirements are as follows:

4.14.0 Lot Area: The minimum area of any lot shall be five thousand (5,000) square feet.

4.14.1 Lot Coverage: In no case shall more than seventy-five (75) percent of the total lot area be covered by the combined area of the main buildings and accessory buildings. Swimming pools, spas, deck, patios, driveways, walks, and other paved areas shall not be included in determining maximum lot coverage.

4.14.2 Lot Width: The minimum width of any lot shall not be less than fifty (50) feet at the building line, except that lots at a terminus of a cul-de-sac or along street elbows/eyebrows may have a minimum width of forty-five (45) feet at the building line; provided all other requirements of this section are fulfilled.

4.14.3 Lot Depth: The minimum depth of any lot shall be eighty-five (85) feet.

4.14.4 Front Yard: The minimum depth of the front yard shall be fifteen (15) feet, not including front entry garages, "J" swing garages will be allowed. The minimum depth of the front yard shall be twenty (20) feet to the face of the garage. Unenclosed front porches, roof eaves, chimneys and other similar architectural elements may extend a maximum of four (4) feet into the front yard except that no portion of a structure including roof eaves may encroach into any utility easement.

4.14.5 Side Yard: The minimum side yard on each side of a lot shall be five (5) feet to the assumed lot line. No portion of a structure including roof eaves may encroach into any utility easement. A side yard adjacent to a side street shall not be less than ten (10) feet.

4.14.6 Rear Yard: The minimum depth of the rear yard shall be five (5) feet to the assumed lot line. No portion of a structure including roof eaves may encroach into any utility easement.

4.14.7 Building Height: Buildings shall be a maximum of two and one-half (2 ½) stories.

SECTION 5

Landscape Regulations

All Planned Development Districts shall be subject to the requirements of the following sections of Chapter 86 Landscaping, Trees and Vegetation of the City of Burleson Code of Ordinances along with additional regulations listed below:

Section 86-103 Landscaping generally
Section 86-104 Landscaping plan required
Section 86-105 Location criteria
Section 86-106 Credits for landscape area reduction
Section 86-107 Installation and Maintenance

Street Trees: A minimum of one (1) street tree shall be required on all residential lots within the street parkway. Street trees shall measure 3 inches in caliper at the time of planting. Suitable trees shall be from the following list:

Bald Cypress	Cedar Elm
Pecan	Chinese Pistache
Bradford Pear	Bur Oak
Texas Sophora	Shumard's Oak
Sweet Gum	Deciduous Holly
Live Oak	Red Oak

Street trees shall not be located in any of the following areas:

- a. Within an area that the mature canopy of the tree will interfere with overhead utility lines.
- b. Within an area that the mature root zone of the tree will interfere with underground public utility lines (including water lines, sewer lines, transmission lines or other utilities).

- c. Within ten (10) feet of a fire hydrant; or,
- d. Closer than thirty-five (35) feet to any street corner, measure from the point of nearest intersection curbs or curblines.

A fifteen (15) foot wide strip of property devoted to landscaping shall be located adjacent to the edge of street paving that is adjacent to the south side of Hidden Creek Parkway. These areas shall be landscaped with trees identified on the preferred tree list.

- a. Detailed planting plans shall be submitted at the time of site plan and preliminary plat review and subject to approval by the City of Burleson.
- b. Landscape areas shall be equipped with permanent irrigation systems.
- c. Public sidewalks shall be permitted within landscape areas.
- d. Visibility triangles, as required by the Burleson Zoning Ordinance shall be maintained at all driveway and street intersections.
- e. Landscape areas shall be considered common areas. As such, installation and perpetual maintenance shall be the responsibility of the property owners' association, the commercial property owner, or the multi-family property owner, respectively. The Burleson shall have no responsibility for the installation, watering, or other maintenance of the landscape areas established by this Section.

Additionally, when the multi-family units are located on the portion of Tract C-2 identified on Exhibit D, the following is applicable:

- a. Contoured berming shall be required along Hidden Vistas Boulevard to provide a visual buffer from single-family uses. The berming shall be complimented by grouping of trees and landscaping, as well as wrought iron (or equivalent fencing) with masonry columns along Hidden Vistas Boulevard and,
- b. The landscaping standards from the Burleson Code of Ordinances, Appendix C, Section VIII, "Multi-Family Design Standards" shall be applicable.

SECTION 6

Parking Regulations

All Planned Development Districts shall be subject to the requirements of Appendix B Zoning Ordinance Section 134 Vehicle Parking Regulations of the City of Burleson Code of Ordinances along with additional regulations listed below:

- (1) Parking and driveways shall be permitted within all required yard areas and must be paved with asphalt or concrete.
- (2) Handicapped parking shall be as set forth in the State of Texas Architectural Barriers Act.

Tracts C-1, C-2, D-1 and D-2 Single Family Residential.

Additional parking requirements for single family residential tracts developed for single family use shall be as follows:

- a. Boat and RV parking are prohibited in front yard areas.
- b. Two-car garages are required.
- c. Driveway access shall be from streets and/or alleys.
- d. Parking is only permitted on paved surfaces of asphalt or concrete.

SECTION 7

Architectural Development Standards

All buildings within all Planned Development Districts shall have an exterior finish of glass, stone, stucco, brick, tile, concrete, exterior wood or similar materials of any combination thereof. The use of wood as a primary, exterior building material shall be limited to a maximum of twenty-five (25) percent of the total exterior wall surfaces. Construction of buildings shall be subject to the requirements of Chapter 10 Buildings and Building Regulations Article XVI Masonry Construction Standards of the City of Burleson Code of Ordinances along with additional regulations listed below:

Tracts A-1, A-2 and C-3 Commercial/Retail/Office

Office, Retail and Commercial District:

- (1) **Masonry:** Structures shall be constructed of masonry, stone, or other cementitious products, such as those offered by James Hardie. Concrete tilt walls may be appropriate as the principle component of office, retail and commercial construction. Concrete tilt walls shall have a finish or texture of pebble or stucco, or shall have a brick or stone pattern as part of the wall created in the stage of formation. Masonry may be brick or stone of earth tone colors, if color and pattern are added to the form. However, it would be consistent to permit other brick colors, as accent brick, provided that in combination accent brick and non-masonry materials do not exceed the 25 percent non-masonry benchmark. Stone shall not be painted. Brick shall be painted only for the purpose of covering an inappropriate brick color with an earth-tone color.
- (2) **Concrete Surfaces and Surfaces Other Than Masonry:** Exterior concrete wall surfaces and wall surfaces other than masonry shall consist of no more than three colors – a base color, and/or a trim color, and/or an accent color. The City shall permit a base color on up to a 100% of the surface area of any one façade of a building. However, the City shall permit other than a base color on up to only 15% of the surface area of any one façade, and an accent color on up to only 10% of the surface area of any one facade. For calculation purposes, wall surfaces shall include eaves, gables and parapets, but should exclude roofs, awnings or signs.
- (3) **Attached Signs:** Signs attached to walls shall consist of individually mounted channel letters. There should be no restriction on the form they take, or on their typestyle, but colors should be restrained and, in unified developments, the same. Back-lit plastic in white, black, or neutral colors is appropriate, as well as back-lit metal in natural finishes or painted in white, black or neutral colors.
- (4) **Awnings:** Adding accent color through the use of awnings is appropriate within the commercial environment. Awnings shall be canvas, or a lusterless material which closely resembles canvas, at least 80 percent of which is a single deep or neutral solid color, the remaining up to 20 percent, if different, shall be contrasting. For example, if the majority is a deep solid, the trim shall be a neutral solid. If the majority is a neutral solid, the trim shall be a deep solid. Awnings shall not be back-lit. Lettering and logos shall be limited to a monogram.
- (5) **Lights:** Parking lot light standards shall not exceed 30 feet in height. Lighting shall be required to minimize glare onto single family residential development.
- (6) **Roofs:** Flat roofs and parapet walls around flat roofs shall have a cornice, cap or other detail with a vertical dimension equal to at least 3 percent of the height of the building. Pitched roofs shall have roofing material of a lusterless neutral color. Green colors shall be limited to dark forest greens, slate greens, pale bluish-gray

greens and copper patinas. Metal roofs shall be standing seam either with a baked-on lusterless finish made of copper.

- (7) **Windows:** Glass shall not exceed 50 percent of any one façade of a building. It shall be clear or tinted, including art glass and stained glass, but not mirror reflective. If used for advertising purposes, stained glass on any facade shall be limited to 10 percent of the total glass area on the facade.
- (8) **Pavement:** Pavement shall be concrete or asphalt installed in accordance with the Burleson standards.

Institutional Uses: Unless a specific exception is granted by the City Council at a time of site plan approval, materials for institutional buildings shall have the same as those for office, retail and commercial development. One exception centers on the use of stucco for Romanesque and Spanish Colonial styles. Since churches and schools are permitted within residential zoning districts, the City may, at the time of site plan approval, allow stucco by special use permit. Therefore, when stucco is permitted in these styles, terra cotta and burnt terra-cotta tile roofs would be architecturally consistent. Also, reflective metal may be appropriate for the spires and domes of landmark institutional buildings, if approved by the Burleson City Council at the time of site plan approval.

Mini-Warehouses: Mini-warehouse buildings shall have a different building design character. Therefore, wall colors shall be very light, in either white or neutral shades. In addition, a trim color in combination with an optional accent color shall be permitted on up to 15 percent of the surface area of any once façade, with the accent color limited to no more than 10 percent of the surface area of a facade.

In this setting, walls are not required to have a cap or cornice, large expanses of glass should be permissible, and glass selection may, subject to approval by the City Council at the time of site plan review, include reflective materials. Attached signs, awnings, lights, pitched roofs and pavement, however, should observe the same design standards set for office, retail and commercial areas.

Tracts C-1, C-2, D-1 and D-2 Single Family Residential

- (1) **Design Elevations:** No house plan elevations may be repeated for a distance of four lots, either on the same side or opposite side of the street.
- (2) **Roofs:** Residential structures shall have a minimum of 7/12 pitch roof.
- (3) **Chimneys:** All exterior chimneys shall be of either, stucco, stone or brick. No siding on chimneys will be permitted.
- (4) **Type I (C-1, D-1, and D-2) Residential Structures:** Shall have 2 different height plate limits and 3 offsets in the front elevation.

(5) **Type II (C-2) Residential Structures:** Shall have 2 different height plate limits and 2 offsets in the front elevation.

(6) **Materials:** the city of Burleson Masonry Ordinance shall apply except for:

a. D-1 cementitious fiberboard products shall be prohibited.

Screening: A minimum six (6) foot screening fence shall be provided where any property or tract designated for single family residential development abuts property or tract that is designated for commercial development. The commercial user and property owner shall be responsible for the construction and maintenance of the screening fence. Screening fences shall be maintained in good repair. The design, color, or materials used in construction of the wall shall not be modified when repairs are made to the wall. This screening wall shall be constructed at the time a commercial property is developed and shall only be required adjacent on the specific commercial property this is being developed.

The above referenced screening fence shall be constructed of stone, brick, cementitious, wrought iron or similar materials or any combination thereof. Screening fence plans shall be included as a component of required site plans and will be subject to approval by the Burleson City Council at the time of site plan approval.

SECTION 8 CUMULATIVE CLAUSE

This ordinance shall be cumulative of all provisions of ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Burleson's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

SECTION 9 SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences,

paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 10 PENALTY CLAUSE

Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

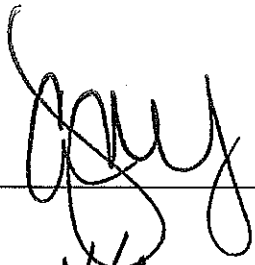
SECTION 11 EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED this the 7th day of May, 2018.


MAYOR

ATTEST:


City Secretary

First Reading: N/A



EXHIBIT A

Zoning Exhibit Development Plan

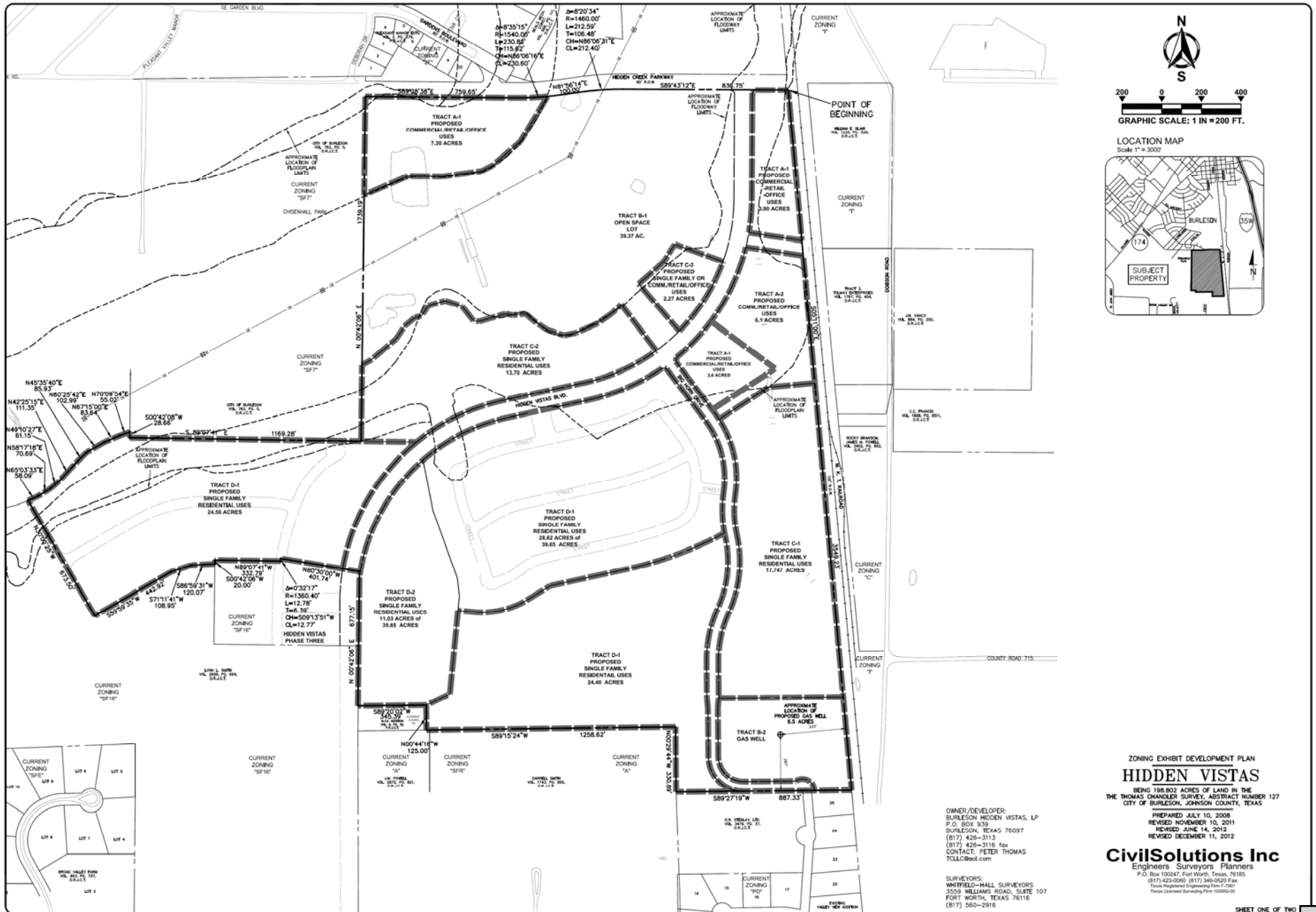


EXHIBIT B
Metes and Bounds

DESCRIPTION OF PROPERTY

BEING 198.802 acres of land in the THOMAS CHANDLER SURVEY, ABSTRACT NUMBER 127, Johnson County, Texas and being the remainder of that certain tract of land conveyed to Burleson Hidden Vistas, LP according to the deed recorded in Volume 3860, Page 237, and Volume 3922, Page 574, Deed Records of Johnson County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found being the intersection of the existing south right-of-way line of Hidden Creek Parkway and the existing west right-of-way line of the M.K.T. Railroad;

THENCE, South 05 degrees 11 minutes 00 seconds East, along the existing east right-of-way line of said M.K.T. Railroad, 3549.23 feet to a 1/2" iron rod found for corner;

THENCE, South 89 degrees 27 minutes 19 seconds West, along the north line of a tract of land conveyed to D.R. Stebley according to the deed recorded in Volume 3479, Page 37, D.R.J.C.T., 887.33 feet to a 1/2" iron rod set for corner with a cap stamped "RPLS 4818";

THENCE, North 00 degrees 29 minutes 44 seconds West, along the east line of a tract of land conveyed to Darrell Smith according to the deed recorded in Volume 1743, Page 855, D.R.J.C.T., 330.89 feet to a 1/2" iron rod set for corner with a cap stamped "RPLS 4818";

THENCE, South 89 degrees 15 minutes 24 seconds West, along the north line of said Smith tract, 1258.62 feet to a 3/4" iron rod found for corner;

THENCE, North 00 degrees 44 minutes 16 seconds West, along the east line of MCI Addition according to the plat recorded in Volume 8, Page 35, Plat Records of Johnson County, Texas, 125.00 feet to a 1/2" iron rod set for corner with a cap stamped "RPLS 4818";

THENCE, South 89 degrees 20 minutes 02 seconds West, along the north line of said MCI Addition, 345.39 feet to a 5/8" iron rod found for corner;

THENCE, North 00 degrees 42 minutes 06 seconds East, along the west line of said Burleson Hidden Vistas tract, 677.15 feet to a point for corner;

THENCE, North 80 degrees 30 minutes 00 seconds West, 401.74 feet to an "x" cut in concrete found for corner, being the northwest corner of Lot 89, Block 11, Hidden Vistas Phase Three according to the plat recorded in Volume 9, Page 948, Drawer D, Plat

Records of Johnson County, Texas and being the beginning of a curve to the left with a radius of 1360.40 feet and a long chord bearing South 09 degrees 13 minutes 21 seconds West, 12.77 feet;

THENCE, along said curve to the left, along the west line of said Lot 89, Block 11, passing through a central angle of 00 degrees 32 minutes 17 seconds an arc length of 12.78 feet to an "x" cut in concrete found for corner;

THENCE, North 89 degrees 07 minutes 41 seconds West, 332.79 feet to a point for corner;

THENCE, South 00 degrees 42 minutes 06 seconds West, 20.00 feet to a 1/2" iron rod found for corner, being the northwest corner of Lot 35, Block 11, of said Hidden Vistas Phase Three;

THENCE, South 86 degrees 59 minutes 31 seconds West, 120.07 feet to a 1/2" iron rod with a plastic cap stamped "RPLS 4818" set;

THENCE, South 71 degrees 11 minutes 41 seconds West, 108.95 feet to a 1/2" iron rod with a plastic cap stamped "RPLS 4818" set;

THENCE, South 59 degrees 59 minutes 35 seconds West, 442.92 feet to a 1/2" iron rod with a plastic cap stamped "RPLS 4818" set;

THENCE, North 30 degrees 00 minutes 25 seconds West, 673.50 feet to a 1/2" iron rod with a plastic cap stamped "RPLS 4818" set, being in the southerly line of a tract of land conveyed to the City of Burleson according to the deed recorded in Volume 2959, Page 638, D.R.J.C.T.;

THENCE, the following courses and distances along the southerly line of said City of Burleson tract:

North 65 degrees 03 minutes 33 seconds East, 58.09 feet, to a 1/2" iron rod found;
North 58 degrees 17 minutes 18 seconds East, 70.69 feet, to a 1/2" iron rod found;
North 49 degrees 10 minutes 27 seconds East, 61.15 feet, to a 1/2" iron rod found;
North 42 degrees 25 minutes 15 seconds East, 111.35 feet, to a 1/2" iron rod found;
North 45 degrees 35 minutes 40 seconds East, 85.93 feet, to a 1/2" iron rod found;
North 60 degrees 25 minutes 42 seconds East, 102.99 feet, to a 1/2" iron rod found;
North 67 degrees 15 minutes 00 seconds East, 83.64 feet, to a 1/2" iron rod found;
North 70 degrees 09 minutes 54 seconds East, 55.02 feet to a 1/2" iron rod found, being the southeast corner of said City of Burleson tract;

THENCE, South 00 degrees 42 minutes 08 seconds West, 28.66 feet to a 1/2" iron rod found for corner, being the southwest corner of a tract of land conveyed to the City of Burleson according to the deed recorded in Volume 762, Page 5, D.R.J.C.T.;

THENCE, South 89 degrees 07 minutes 41 seconds East, along the south line of said City of Burleson tract, 1169.28 feet to a 1/2" iron rod with a plastic cap stamped "RPLS 4818" set, said iron rod being in the west line of said Burleson Hidden Vistas tract (3860/237);

THENCE, North 00 degrees 42 minutes 06 seconds East, along the west line of said Burleson Hidden Vistas tract (3860/237), 1739.19 feet to a 1/2" iron rod found;

THENCE, South 89 degrees 28 minutes 38 seconds East, along the existing south right-of-way line of said Hidden Creek Parkway, 759.65 feet to a 1/2" iron rod set for corner with a cap stamped "RPLS 4818", being the beginning of a curve to the left with a radius of 1540.00 feet and a long chord bearing North 86 degrees 06 minutes 16 seconds East, 230.60 feet;

THENCE, along said curve to the left and continuing along the existing south right-of-way line of said Hidden Creek Parkway, passing through a central angle of 08 degrees 35 minutes 15 seconds an arc length of 230.82 feet to a 1/2" iron rod set for corner with a cap stamped "RPLS 4818";

THENCE, North 81 degrees 56 minutes 14 seconds East, continuing along the existing south right-of-way line of said Hidden Creek Parkway, 100.00 feet to a 1/2" iron rod set for corner with a cap stamped "RPLS 4818", being the beginning of a curve to the right with a radius of 1460.00 feet and a long chord bearing North 86 degrees 06 minutes 31 seconds East, 212.40 feet;

THENCE, along said curve to the right and continuing along the existing south right-of-way line of said Hidden Creek Parkway, passing through a central angle of 08 degrees 20 minutes 34 seconds an arc length of 212.59 feet to a 1/2" iron rod set for corner with a cap stamped "RPLS 4818";

THENCE, South 89 degrees 43 minutes 12 seconds East, continuing along the existing south right-of-way line of said Hidden Creek Parkway, 836.75 feet to the POINT OF BEGINNING.

The tract of land herein described contains 198.802 acres.

MEMORANDUM OF UNDERSTANDING

BETWEEN

BURLESON HIDDEN VISTA, LP AND THE CITY OF BURLESON, TEXAS

REGARDING PARK IMPROVEMENTS IN THE HIDDEN VISTA DEVELOPMENT

PARK MOU #2018-03

On October 3, 2013, a letter was sent by the City of Burleson (the City) to Peter Thomas, authorized agent for Burleson Hidden Vista, LP (the Developer), that detailed park improvements proposed by the Developer. The construction of the improvements were to count as credit toward the required park infrastructure fee for phases 2, 3, 3A and 7 of the Hidden Vistas development (the Development). The park improvements were never initiated. Therefore, the City and the Developer wish to nullify the previous agreement and replace it with this Memorandum of Understanding (the MOU). The following outlines the commitments made between Burleson Hidden Vista, LP, and or assigns, with the address P. O. Box 939, Burleson, TX 76097, and the City of Burleson, Texas, with the address 141 W Renfro St, Burleson, TX 76028-4296, for park improvements in and around the Hidden Vistas development, DAC Case #18-002.

Developer agrees that it will:

1. Construct a concrete hike and bike trail along the alignment shown in Exhibit A before Phase 4 is completed. The trail will generally have a width of 10' with a 3' shoulder on each side, but an 8' width with 2' shoulders over a short distance is permissible if dictated by site conditions. The trail alignment along the Hidden Vista Dr. ROW shall be the width of the sidewalks typical of the development. The pedestrian connections to the cul-de-sacs shall be 5' wide minimum.
2. Provide electric service for, and install, one (1) aeration fountain in the pond shown in Exhibit A before Phase 4 is completed.
3. Improve the low water crossing shown in Exhibit A to include a 16' wide trail path (10' trail with 3' shoulders) that is compliant with the 2012 Texas Accessibility Standards before Phase 6 is completed. Coordinate efforts with the City's Floodplain Administrator to insure compliance with all relevant floodplain-related regulations and hydraulic requirements.
4. Obtain final approval from the City for all park improvements before proceeding with construction.
5. Strictly adhere to the approved grading plan for the Development, including the dedicated park land, which facilitates the construction of streets, water, sewer, drainage, etc.

City agrees that it will:

1. Pay for the electricity required to operate the aeration fountain.
2. Waive escrow for the park land dedication.
3. Provide a metes and bounds survey and legal description of the property to be dedicated as park land shown in Exhibit A.
4. Maintain all dedicated park land.

The City and the Developer agree that any modification to the MOU requires the written consent of both parties. The parties also agree that the MOU does not exhaustively cover all details of the Development or the park improvements and will work, in good faith, to coordinate these efforts as Hidden Vistas is developed.

This MOU shall remain binding in the event of a change of developer.

City of Burleson, Texas

Burleson Hidden Vista, LP

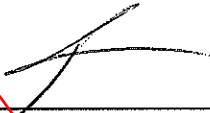
by



Marc D. Marchand, Director
Recreation and Lifelong Learning

Date 5-7-18

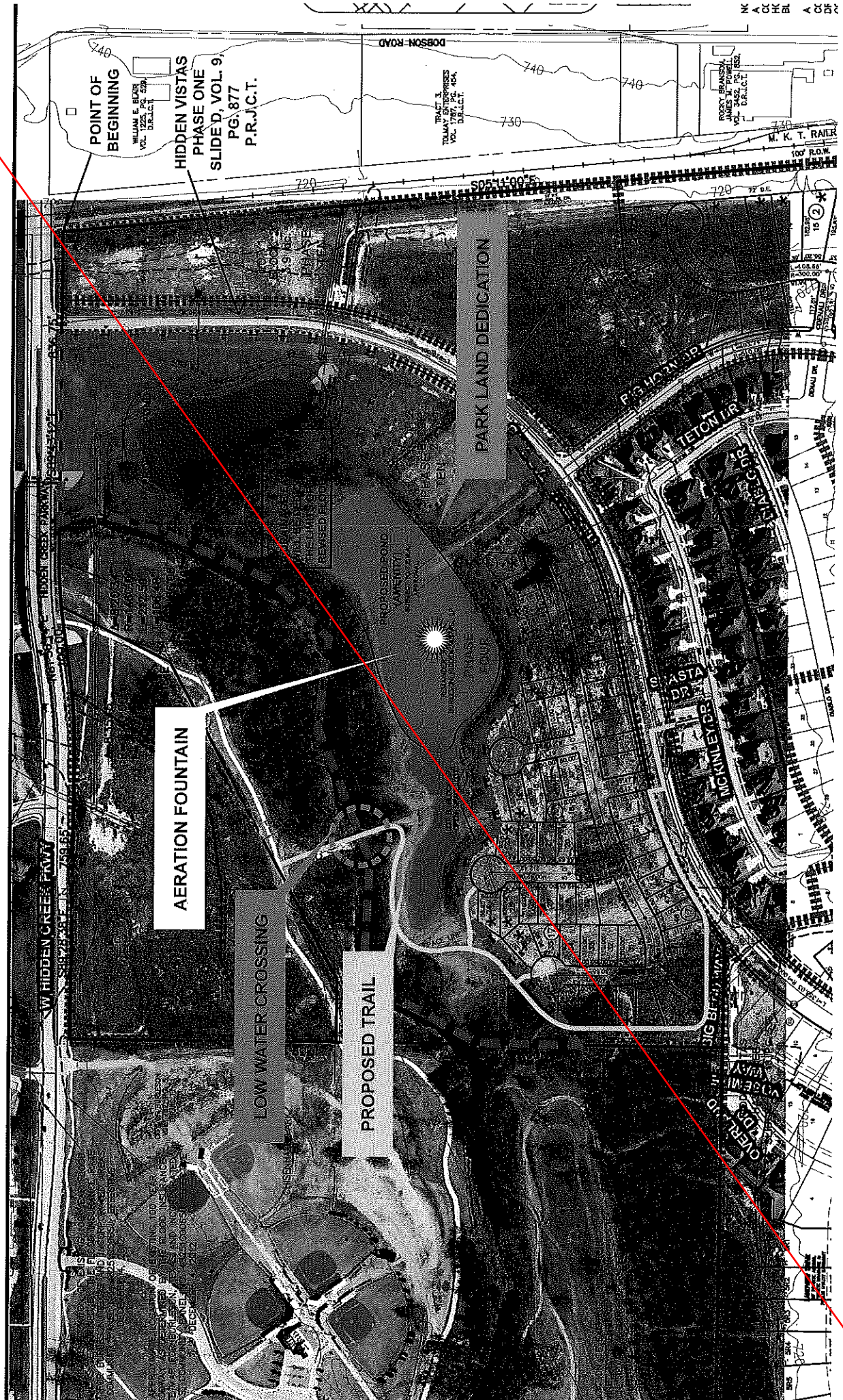
by



Peter Thomas
Authorized Agent

Date 5/8/18

EXHIBIT A



AMENDMENT #1

MEMORANDUM OF UNDERSTANDING

BETWEEN

BURLESON HIDDEN VISTA, LP AND THE CITY OF BURLESON, TEXAS

REGARDING PARK IMPROVEMENTS IN THE HIDDEN VISTA DEVELOPMENT

PARK MOU #2018-03

WHEREAS, the City of Burleson ("City") and Burleson Hidden Vista, LP ("Developer") entered into a Memorandum of Understanding on May 7, 2018 ("Park MOU #2018-03 ") regarding certain park improvements in the Hidden Vista Development; and

WHEREAS, the City and Developer now desire to amend Park MOU #2018-03 to account for changes in the Hidden Vista Development; and

WHEREAS, the City and Developer both feel it is in the best interests of both parties or the Park MOU #2018-03 to be amended.

NOW THEREFORE, Developer and City agree to amend Park MOU #2018-03 by repealing and replacing the previous commitments with the following:

Developer agrees that it will:

1. Construct a 10-foot concrete hike and bike trail along the alignment shown in Exhibit A as part of Hidden Vista Phase 4B. These improvements shall be constructed as part of the proposed public infrastructure and shall be completed prior to the city issuing a substantial or final acceptance letter, whichever comes first. The trail will generally have a width of 10' with a 3' shoulder on each side, but an 8' width with 2' shoulders over a short distance is permissible if dictated by site conditions. Coordinate efforts with the City's Floodplain Administrator to insure compliance with all relevant floodplain-related regulations and hydraulic requirements.
2. The trail alignment along the Hidden Vista Dr. ROW shall be the width of the sidewalks typical of the development, four (4) feet.
3. Provide electric service for, and install, one (1) aeration fountain in the pond shown in Exhibit A before Phase 4 is completed.
4. Dedicate the land shown in Exhibit A as parkland prior to substantial or final acceptance of Hidden Vista, Phase 4B, whichever comes first.
5. Obtain final approval from the City for all park improvements before proceeding with construction.

6. Strictly adhere to the approved grading plan for the Development, including the dedicated park land, which facilitates the construction of streets, water, sewer, drainage, etc.

City agrees that it will:

1. Pay for the electricity required to operate the aeration fountain.
2. Waive escrow for the park land dedication.
3. Provide a metes and bounds survey and legal description of the property to be dedicated as park land shown in Exhibit A.
4. Maintain all dedicated park land.

The City and the Developer agree that any modification to this MOU requires the written consent of both parties. The parties also agree that the MOU does not exhaustively cover all details of the Development or the park improvements and will work, in good faith, to coordinate these efforts as Hidden Vistas is developed.

This MOU shall remain binding in the event of a change of developer.

City of Burleson, Texas

Burleson Hidden Vista, LP

by



Robert Ranc

Deputy City Manager, Acting Director of
Parks and Recreation

by



Peter Thomas

Authorized Agent

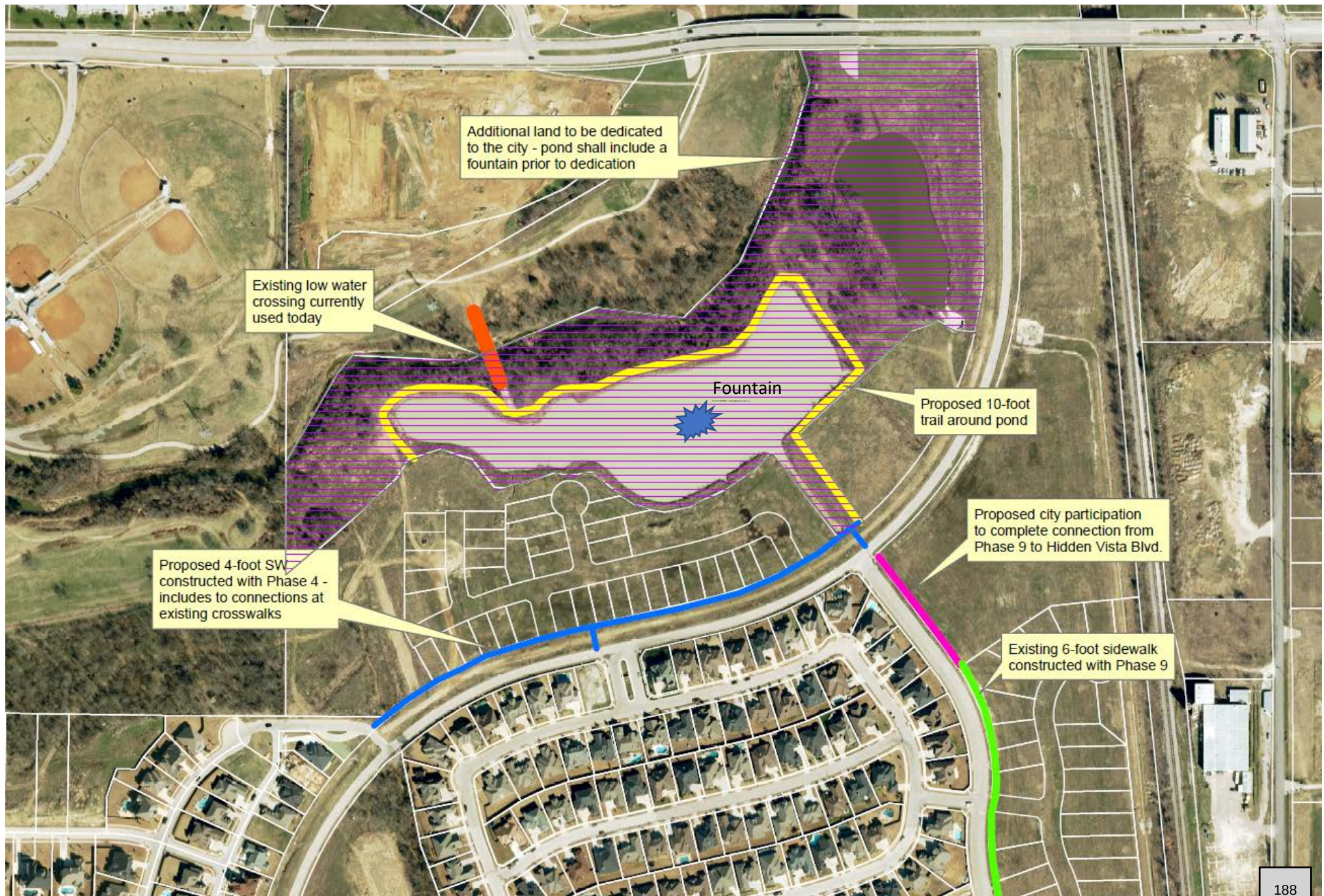
Date

7/20/20

Date

7/30/20

Exhibit A



City Council Regular Meeting

DEPARTMENT: Development Services

FROM: Tony D. McIlwain, Development Services Director

MEETING: October 6, 2026

SUBJECT:

Hold a public hearing and consider and take possible action on an ordinance amending the text of the city's zoning ordinance codified in Appendix B, Zoning, Article V, Supplemental Regulations of the City of Burleson Code of Ordinances. *(First Reading) (Staff Contact: Tony D. McIlwain, Development Services Director) (The Planning and Zoning Commission recommended approval by a vote of 7 to 0)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

Burleson Code of Ordinances, Appendix B, Zoning, Article V, Supplemental Regulations contain development standards, processes and requirements, which are applicable to city properties. City staff is proposing amendments to the following supplemental regulation sections:

- Amending various Code sections relating to **Site plans** to update text references, processes and requirements. Most notably, it includes a new requirement to illustrate the location and full extents of any on-site sewage facility (OSSF).
- Amending various provisions of the **Accessory building and structure yard** regulations to include increasing the setback of an alley or side street garage or carport from 18' to 20'.

- Amending Code section 133-100 relating to **height** to replace the Spinks Airport Air Hazard Zoning ordinance with the IH35 overlay district restrictions.
- Amending Code section 136-103 to remove **snow cone stands** as a seasonal use; they are governed by the State's mobile food vendor regulations.
- Amending Code section 136-105 to replace stationary food vendor with **mobile food vendor**.
- Deleting Code section 136-106 relating to **stationary food vendors**; which are governed by the State's mobile food vendor regulations.

RECOMMENDATION:

Staff recommends approval of the proposed amendments to the supplemental standards of the zoning code.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

September 15, 2026: The Planning and Zoning Commission recommended approval by a vote of 7 to 0.

REFERENCE:

Insert CSO# if applicable
Insert resolution or ordinance change

FISCAL IMPACT:

Proposed Expenditure/Revenue: n/a
Account Number(s): n/a
Fund: n/a
Account Description: n/a
Procurement Method: n/a

STAFF CONTACT:

Tony D. McIlwain, AICP, CFM
Development Services Director
tmcilwain@burlesontx.com
817-426-9684

Supplemental regulations

CITY COUNCIL: 10.5.2026

Background

- The purpose of this effort is to continue the updating of various provisions within the city's zoning ordinance.
- This item proposes various amendments to provisions within the supplemental regulations within the city's zoning ordinance.
- The proposed amendments are detailed in the next two slides.

Supplemental Regulations

Amends various Code sections relating to **Site plans** to update text references, processes and requirements. Most notably, it includes a new requirement to illustrate the location and full extents of any on-site sewage facility (OSSF).

Amends various provisions of the **Accessory building and structure yard** regulations to include increasing the setback of an alley or side street garage or carport from 18' to 20'.

Amending Code section 133-100 relating to **height** to replace the Spinks Airport Air Hazard Zoning ordinance with the IH35 overlay district restrictions.

Supplemental Regulations (cont'd.)

Amending Code section 136-103 to remove **snow cone stands** as a seasonal use. This use is governed by the State's mobile food vendor regulations.

Amending Code section 136-105 to replace stationary food vendor with **mobile food vendor**.

Deleting Code section 136-106 relating to **stationary food vendors**. This use is now governed by the State's mobile food vendor regulations.

Recommendation

- Staff recommends approval of the proposed amendments to the city's supplemental regulations.
- The Planning and Zoning Commission recommended approval by a vote of 7 to 0.

ORDINANCE

AN ORDINANCE AMENDING APPENDIX B, “ZONING”, OF THE CITY OF BURLESON, TEXAS CODE OF ORDINANCES BY AMENDING VARIOUS SECTIONS OF ARTICLE V “SUPPLEMENTAL REGULATIONS”; PROVIDING FOR THE INCORPORATION OF THE RECITALS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE CODICIATION INTO THE CODE OF ORDINANCES; FINDING THAT MEETINGS AT WHICH THIS ORDINANCE WERE PASSED COMPLIED WITH LAW; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Burleson has adopted Ordinance B-582 (A0508), being Appendix B - Zoning Ordinance, Code of Ordinances, City of Burleson, which establishes zoning regulations and districts in accordance with the City's comprehensive land use plan in order to promote health, safety, morals and the general welfare within the City of Burleson; and

WHEREAS, the City Council finds that the Planning and Zoning Commission of Burleson, Texas, held a public hearing, notice for said hearing having been given not less than ten (10) days before the date set for the hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality, and voted 7 to 0 to recommend approval to the City Council of Burleson, Texas, that the ordinance be approved; and

WHEREAS, the City Council finds that the City Council held a public hearing, said notice was given of the further public hearing to consider the advisability of amending the Zoning Ordinance as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality, and by posting such notice to the City's Internet website; and

WHEREAS, the City Council finds that the City has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council finds that all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed zoning amendment and the City Council of the City of Burleson, Texas, have found and determined that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

WHEREAS, pursuant to Section 2-4(b) of the Code of Ordinances, City of Burleson, Texas, the City Council must consider and approve ordinance amendments at two separate sessions of the City Council unless an exception applies, and no such exception applies to amendments of the City's zoning ordinance; and

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

SECTION 1.

Section 131-105, “Site plan requirements generally”, of Section 131, “Site plan requirements”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

131-105 Site plan requirements generally.

Whenever a site plan is required by this ordinance, such site plan must conform to the requirements of this section.. The site plan submitted in support of an application shall satisfy the requirements for site plan submittals as set forth by the development assistance committee. Site plans shall be reviewed by the development assistance committee at the next scheduled meeting after submittal. Comments shall be returned within five working days after the review by the development assistance committee. In no event shall the review process exceed 15 working days after submittal. The submittal date of the site plan shall be the date upon which the site plan is found to be in compliance with the provisions of the site plan application by the development assistance committee.

SECTION 2.

Section 131-115, “Changes to the site plan”, of Section 131, “Site plan requirements”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

131-115 Changes to the site plan.

Changes to the site plan shall be processed in the same manner as the original approved site plan.

- (a) Except as otherwise provided in subsection 131-115, changes to site plan (c), any site plan that is amended shall require approval as provided in subsection 131-120.
- (b) Changes to the site plan which will affect the use of the land may require either an amendment to a PD or a rezoning of property, whichever applies.
- (c) Changes of details within a site plan which do not alter the basic physical relationship of the property to adjacent properties; do not alter the use permitted; increase the density, floor area, height, or reduce the yards provided at the boundary of the site as indicated on the approved site plan, may be authorized by the development services director or his/her designee. An aggrieved party may appeal the decision of the development services director or his/her designee to the planning and zoning commission in accordance with the provisions of this ordinance.

SECTION 3.

Section 131-125, “Site plan content”, of Section 131, “Site plan requirements”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

131-125

Site plan content.

The site plan shall contain the information listed below and any or all of the required features may be incorporated on a single drawing if the drawing is clear and capable of evaluation by the planning and zoning commission, the city council, and the staff personnel required to enforce and interpret this ordinance:

- (a) The boundary lines and dimensions of the property, existing subdivision lots, available utilities, and when applicable, the location and full extents of any on-site sewage facility (OSSF), easements, roadways, sidewalks, emergency access easements and public rights-of-way.
- (b) Floodplains, water courses, marshes, drainage areas, and other significant environmental features including, but not limited to, rock outcroppings and major tree groupings.
- (c) The location and use of all existing and proposed buildings or structures, including all refuse storage areas, and the minimum distance between buildings. Where building complexes are proposed, the location of each building and the minimum distances between buildings, and between buildings and the property line, street line, and/or alley.
- (d) Total number, location and arrangement of off-street parking and loading spaces, where required.
- (e) All points of vehicular ingress, egress, and circulation within the property and all special traffic regulation facilities proposed or required to assure the safe function of the circulation plan.
- (f) Setbacks, lot coverage, and when relevant, the relationship of the setbacks provided and the height of any existing or proposed building or structure.
- (g) The location, size, and arrangement of all outdoor signs, exterior auditory speakers, and lighting.
- (h) The type, location, and quantity of all plant material used for landscaping, and the type, location, and height of fences or screening and the plantings around them.
- (i) If multiple types of land uses are proposed, a delineation of the specific areas to be devoted to various land uses.
- (j) Vicinity map, north point, scale, name of development, name of owner, name of planner, total acreage of project, street address or common description of the property.
- (k) Current land uses and zoning district of the property and current land uses and zoning districts of contiguous properties.
- (l) Buildings on the exterior of the site and within 25 feet of all property lines.
- (m) The location and size of existing and proposed surface and subsurface drainage facilities,

including culverts, drains, and detention ponds, showing size and direction of flow.

- (n) The number of square feet of the property after construction which will constitute impervious area or impervious surface and vegetated areas.

SECTION 4.

Section 132-115, “Accessory building and structure yard regulations”, of Section 132, “General yard requirements”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

132-115 Accessory building and structure yard regulations.

(a) Front yard.

Attached accessory buildings or structures shall have a front yard not less than the main building.

(b) Side yard.

A side yard of three feet shall be maintained for any accessory building or structure located in a residential district as measured from the side lot line; except that adjacent to a side street the accessory building side yard shall be not less than ten feet and a garage or carport entered from and opening onto the side shall provide a side yard of not less than 20 feet.

(c) Rear yard.

- (1) There shall be a rear yard for accessory buildings or structures of not less than three feet measured from the rear lot line. In residential districts, the main building and all accessory buildings shall not cover more than 50 percent of that portion of the lot lying to the rear of a line joining the midpoint of one side lot line with the midpoint of the opposite side lot line. Detached carports, garages, or other detached accessory buildings located within this rear portion of the lot shall not be located closer than six feet to the main building or nearer than three feet to any side lot line, (See Appendix Illustration 3).
- (2) Where a garage or carport is designed and constructed to be entered from an alley or side street, the garage or carport shall be set back from the side street or alley a minimum distance of 20 feet.

SECTION 5.

Section 133-100, “Generally”, of Section 133, “General height requirements”, of Article V,

“Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

133-100

Generally.

The following height requirements shall apply:

- (a) Cooling towers, roof gables, chimneys, and vent stacks may extend for an additional height not to exceed 40 feet above the average grade line of a building. Water standpipes and tanks, religious institution steeples, domes and spires, school buildings, and institutional buildings may exceed three stories in height in residential districts restricted to two or three stories in height, provided that one additional foot is added to the width and depth of side and rear yards for each foot that a structure exceeds 35 feet in height.
- (b) In the GR, CC, C and I districts a building may exceed a height of 35 feet if the following conditions are met:
 - (1) A site plan is provided; and
 - (2) For every one foot above the height of 35 proposed, an additional one foot of set back is provided on the front, side, and rear yards. The maximum height shall not exceed 60 feet.
- (c) Height regulations do not apply to steeples, domes and spires, or other architectural design elements, communication towers and/or antennas. (For antenna and tower regulations see section 137, antenna facilities.)
- (d) Applicable height restrictions identified in the IH35, 35 overlay district shall be observed.

SECTION 6.

Section 136-103, “Seasonal uses”, of Section 136, “Temporary use regulations”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

136-103

Seasonal uses.

A permit for a seasonal use shall be granted only for farmers markets . They shall be permitted as follows:

- a. The duration of the permit shall be for a period between April 1st and October 31st.
- b. Such events shall be on a site in the A, NS, GR, CC, C or I zoning districts.
- c. Adequate parking and sanitary facilities shall be made available to the satisfaction of the development services director or designee and/or code enforcement officer.

SECTION 7.

Section 136-105, “Temporary outdoor sales”, of Section 136, “Temporary use regulations”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

136-105

Temporary outdoor sales.

Temporary outdoor sales are defined as any temporary outdoor sales event that is not classified as a special event, seasonal use, holiday sales, a mobile food vendor. These temporary uses shall be permitted as follows:

- a. They shall only be permitted on properties in the A, NS, GR, CC, C, or I zoning districts.
- b. Temporary outdoor sales will only be conducted by the existing occupants of existing businesses on the property where the sales will be held.
- c. The duration of a temporary outdoor sale shall not exceed 30 days upon the application and granting of a temporary use permit. In no event shall any temporary outdoor sales be allowed for more than 30 consecutive days for more than once per year for each property (lot, tract or parcel).
- d. Adequate parking and sanitary facilities shall be made available to the satisfaction of the community development director or designee and/or code enforcement officer.
- e. All sales shall meet the special conditions, if any imposed by the code enforcement officer and/or fire marshal for the protection of the public health, safety and welfare.
- f. No tent or similar structure shall be erected in any required setbacks or designated easements. Tents shall conform to the Uniform Fire Code and no tent shall be erected without first obtaining a permit. No use of property, for temporary outdoor sales, will be allowed except by the existing occupants of the property. This includes parking of vehicles for a purpose other than conducting business on the premises.

SECTION 8.

Section 136-106, “Stationary food vendors”, of Section 136, “Temporary use regulations”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby deleted in its entirety:

SECTION 9.

The recitals of this Ordinance are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 10.

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

SECTION 11.

The terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

SECTION 12.

Any complaint, notice, notice of violation, action, cause of action, hearing request, appeal, or claim which prior to the effective date of this Ordinance that has been initiated or arisen under or pursuant to any other ordinance(s) shall continue to be governed by the provision of that ordinance or ordinances, and for that purpose that ordinance or ordinances shall be deemed to remain and shall continue in full force and effect.

SECTION 13.

It is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Burleson, and that the sections of this ordinance may be renumbered or relettered to accomplish such intention.

SECTION 14.

It is hereby officially found and determined that the meetings at which this ordinance is passed were open to the public and that public notice of the time, place, and purpose of said meetings were given as required by law.

SECTION 15.

Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in V.T.C.A. Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

SECTION 16.

Pursuant to Section 36 of the Charter of the City of Burleson, that this ordinance shall take effect after its passage and publication, and that the City Secretary is hereby directed to give notice of the passage of this ordinance by causing the caption or title and the penalty clause of this ordinance to

be published once in a newspaper of general circulation in the city and on the city's website.

AND IT SO ORDAINED.

PASSED AND APPROVED: the _____ day of _____, 20____.

First Reading: the _____ day of _____, 20____.

Final Reading: the _____ day of _____, 20____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

Amanda Campos, City Secretary

APPROVED AS TO FORM & LEGALITY:

E. Allen Taylor, Jr., City Attorney

ORDINANCE

AN ORDINANCE AMENDING APPENDIX B, “ZONING”, OF THE CITY OF BURLESON, TEXAS CODE OF ORDINANCES BY AMENDING VARIOUS SECTIONS OF ARTICLE V “SUPPLEMENTAL REGULATIONS”; PROVIDING FOR THE INCORPORATION OF THE RECITALS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE CODICIATION INTO THE CODE OF ORDINANCES; FINDING THAT MEETINGS AT WHICH THIS ORDINANCE WERE PASSED COMPLIED WITH LAW; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Burleson has adopted Ordinance B-582 (A0508), being Appendix B - Zoning Ordinance, Code of Ordinances, City of Burleson, which establishes zoning regulations and districts in accordance with the City's comprehensive land use plan in order to promote health, safety, morals and the general welfare within the City of Burleson; and

WHEREAS, the City Council finds that the Planning and Zoning Commission of Burleson, Texas, held a public hearing, notice for said hearing having been given not less than ten (10) days before the date set for the hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality, and voted ___ to ___ to recommend approval to the City Council of Burleson, Texas, that the ordinance be approved; and

WHEREAS, the City Council finds that the City Council held a public hearing, said notice was given of the further public hearing to consider the advisability of amending the Zoning Ordinance as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality, and by posting such notice to the City's Internet website; and

WHEREAS, the City Council finds that the City has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council finds that all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed zoning amendment and the City Council of the City of Burleson, Texas, have found and determined that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

WHEREAS, pursuant to Section 2-4(b) of the Code of Ordinances, City of Burleson, Texas, the City Council must consider and approve ordinance amendments at two separate sessions of the City Council unless an exception applies, and no such exception applies to amendments of the City's zoning ordinance; and

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

SECTION 1.

Section 131-105, "Site plan requirements generally", of Section 131, "Site plan requirements", of Article V, "Supplemental Regulations" of Appendix B, "Zoning," of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

131-105 Site plan requirements generally.

Whenever a site plan is required by this ordinance, such site plan must conform to the requirements of this section. ~~Except as otherwise provided herein, all site plans must be approved by the city council upon recommendation of the planning and zoning commission.~~ The site plan submitted in support of an application ~~(form provided by the building official)~~ shall satisfy the requirements for site plan submittals as set forth by the development assistance committee. Site plans shall be reviewed by the development assistance committee at the next scheduled meeting after submittal. Comments shall be returned within five working days after the review by the development assistance committee. In no event shall the review process exceed 15 working days after submittal. The submittal date of the site plan shall be the date upon which the site plan is found to be in compliance with the provisions of the site plan application by the development assistance committee.

SECTION 2.

Section 131-115, "Changes to the site plan", of Section 131, "Site plan requirements", of Article V, "Supplemental Regulations" of Appendix B, "Zoning," of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

131-115 Changes to the site plan.

Changes to the site plan shall be processed in the same manner as the original approved site plan.

- (a) Except as otherwise provided in subsection 131-115, changes to site plan (c), any site plan that is amended shall require approval as provided in subsection 131-120.
- (b) Changes to the site plan which will affect the use of the land may require either an amendment to a PD or a rezoning of property, whichever applies.
- (c) Changes of details within a site plan which do not alter the basic physical relationship of the property to adjacent properties; do not alter the use permitted; increase the density, floor area, height, or reduce the yards provided at the boundary of the site as indicated on the approved site plan, may be authorized by the ~~community~~-development services director or his/her designee. An aggrieved party may appeal the decision of the ~~community~~ development services director or his/her designee to the planning and zoning commission ~~board of adjustment~~ in accordance with the provisions of this ordinance.

SECTION 3.

Section 131-125, “Site plan content”, of Section 131, “Site plan requirements”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

131-125

Site plan content.

The site plan shall contain the information listed below and any or all of the required features may be incorporated on a single drawing if the drawing is clear and capable of evaluation by the planning and zoning commission, the city council, and the staff personnel required to enforce and interpret this ordinance:

(a) The boundary lines and dimensions of the property, existing subdivision lots, available utilities, and when applicable, the location and full extents of any on-site sewage facility (OSSF), easements, roadways, sidewalks, emergency access easements and public rights-of-way.

~~(b) Topography of the property proposed for development in contours of not less than two feet, together with any proposed grade elevations, if different from existing elevations.~~

~~(c)~~(b) Floodplains, water courses, marshes, drainage areas, and other significant environmental features including, but not limited to, rock outcroppings and major tree groupings.

~~(d)~~(c) The location and use of all existing and proposed buildings or structures, including all refuse storage areas, and the minimum distance between buildings. Where building complexes are proposed, the location of each building and the minimum distances between buildings, and between buildings and the property line, street line, and/or alley.

~~(e)~~(d) Total number, location and arrangement of off-street parking and loading spaces, where required.

~~(f)~~(e) All points of vehicular ingress, egress, and circulation within the property and all special traffic regulation facilities proposed or required to assure the safe function of the circulation plan.

~~(g)~~(f) Setbacks, lot coverage, and when relevant, the relationship of the setbacks provided and the height of any existing or proposed building or structure.

~~(h)~~(g) The location, size, and arrangement of all outdoor signs, exterior auditory speakers, and lighting.

~~(i)~~(h) The type, location, and quantity of all plant material used for landscaping, and the type, location, and height of fences or screening and the plantings around them.

~~(j)~~(i) If multiple types of land uses are proposed, a delineation of the specific areas to be devoted to various land uses.

~~(k)~~(j) Vicinity map, north point, scale, name of development, name of owner, name of

- planner, total acreage of project, street address or common description of the property.
- (+)(k) Current land uses and zoning district of the property and current land uses and zoning districts of contiguous properties.
- (+)(l) Buildings on the exterior of the site and within 25 feet of all property lines.
- (+)(m) The location and size of existing and proposed surface and subsurface drainage facilities, including culverts, drains, and detention ponds, showing size and direction of flow.
- (+)(n) The number of square feet of the property after construction which will constitute impervious area or impervious surface and vegetated areas.

SECTION 4.

Section 132-115, “Accessory building and structure yard regulations”, of Section 132, “General yard requirements”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

132-115 Accessory building and structure yard regulations.

(a) Front yard.

Attached accessory buildings or structures shall have a front yard not less than the main building. ~~Detached accessory buildings or structures shall be located in the area defined as the rear yard.~~

(b) Side yard.

A side yard of three feet shall be maintained for any accessory building or structure located in a residential district as measured from the side lot line; except that adjacent to a side street the accessory building side yard shall be not less than ten feet and a garage or carport entered from and opening onto the side shall provide a side yard of not less than 20 feet.

(c) Rear yard.

(1) There shall be a rear yard for accessory buildings or structures of not less than three feet measured from the rear lot line. In residential districts, the main building and all accessory buildings shall not cover more than 50 percent of that portion of the lot lying to the rear of a line joining the midpoint of one side lot line with the midpoint of the opposite side lot line. Detached carports, garages, or other detached accessory buildings located within this rear portion of the lot shall not be located closer than six feet to the main building or nearer than three feet to any side lot line, (See Appendix Illustration 3).

(2) Where a garage or carport is designed and constructed to be entered from an alley

or side street, the garage or carport shall be set back from the side street or alley a minimum distance of ~~20~~¹⁸ feet.

SECTION 5.

Section 133-100, “Generally”, of Section 133, “General height requirements”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

133-100

Generally.

The following height requirements shall apply:

- (a) Cooling towers, roof gables, chimneys, and vent stacks may extend for an additional height not to exceed 40 feet above the average grade line of a building. Water standpipes and tanks, religious institution steeples, domes and spires, school buildings, and institutional buildings may exceed three stories in height in residential districts restricted to two or three stories in height, provided that one additional foot is added to the width and depth of side and rear yards for each foot that a structure exceeds 35 feet in height.
- (b) In the GR, CC, C and I districts a building may exceed a height of 35 feet if the following conditions are met:
 - (1) A site plan is provided; and
 - (2) For every one foot above the height of 35 proposed, an additional one foot of set back is provided on the front, side, and rear yards. The maximum height shall not exceed 60 feet.
- (c) Height regulations do not apply to steeples, domes and spires, or other architectural design elements, communication towers and/or antennas. (For antenna and tower regulations see section 137, antenna facilities.)
- (d) ~~Applicable H~~height restrictions identified in the ~~IH35, 35 overlay district~~ ~~Spinks Airport Air Hazard Zoning Ordinance as adopted by Resolution No. 503~~ shall be observed.

SECTION 6.

Section 136-103, “Seasonal uses”, of Section 136, “Temporary use regulations”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

136-103

Seasonal uses.

A permit for a seasonal use shall be granted only for farmers markets ~~and snow cone stands~~. They~~se~~ shall be permitted as follows:

- a. The duration of the permit shall be for a period between April 1st and October 31st.
- b. Such events shall be on a site in the A, NS, GR, CC, C or I zoning districts.
- c. Adequate parking and sanitary facilities shall be made available to the satisfaction of the ~~community~~ development services director or designee and/or code enforcement officer.

SECTION 7.

Section 136-105, “Temporary outdoor sales”, of Section 136, “Temporary use regulations”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby amended to read as follows:

136-105

Temporary outdoor sales.

Temporary outdoor sales are defined as any temporary outdoor sales event that is not classified as a special event, seasonal use, holiday sales, a mobile food vendor ~~or stationary food vendor~~. These temporary uses shall be permitted as follows:

- a. They shall only be permitted on properties in the A, NS, GR, CC, C, or I zoning districts.
- b. Temporary outdoor sales will only be conducted by the existing occupants of existing businesses on the property where the sales will be held.
- c. The duration of a temporary outdoor sale shall not exceed 30 days upon the application and granting of a temporary use permit. In no event shall any temporary outdoor sales be allowed for more than 30 consecutive days for more than once per year for each property (lot, tract or parcel).
- d. Adequate parking and sanitary facilities shall be made available to the satisfaction of the community development director or designee and/or code enforcement officer.
- e. All sales shall meet the special conditions, if any imposed by the code enforcement officer and/or fire marshal for the protection of the public health, safety and welfare.
- f. No tent or similar structure shall be erected in any required setbacks or designated easements. Tents shall conform to the Uniform Fire Code and no tent shall be erected without first obtaining a permit. No use of property, for temporary outdoor sales, will be allowed except by the existing occupants of the property. This includes parking of vehicles for a purpose other than conducting business on the premises.

SECTION 8.

Section 136-106, “Stationary food vendors”, of Section 136, “Temporary use regulations”, of Article V, “Supplemental Regulations” of Appendix B, “Zoning,” of the Code of Ordinances, City of Burleson, Texas, is hereby deleted in its entirety:

Stationary food vendors.

~~Stationary food vendors are defined as food vendors with temporary structures that are stationary at one location. These stationary food vendors shall be permitted as follows:~~

- ~~a. Stationary food vendors shall only be permitted on properties in the C, or I zoning districts.~~
- ~~b. Stationary food vendors will only be allowed:~~
 - ~~1. With a special events permit; and/or~~
 - ~~2. Within the building footprint of a 80,000 square feet or greater business with the business owners written permission.~~
- ~~c. Adequate parking and sanitary facilities shall be made available to the satisfaction of the community development director or designee and/or code enforcement officer.~~
- ~~d. All stationary food vendors shall meet the special conditions, if any imposed by the code enforcement officer and/or fire marshal for the protection of the public health, safety and welfare.~~
- ~~e. Mobile food vendors shall be regulated by a separate ordinance and not permitted through the zoning ordinance.~~

SECTION 9.

The recitals of this Ordinance are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 10.

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

SECTION 11.

The terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

SECTION 12.

Any complaint, notice, notice of violation, action, cause of action, hearing request, appeal, or claim which prior to the effective date of this Ordinance that has been initiated or arisen under or

pursuant to any other ordinance(s) shall continue to be governed by the provision of that ordinance or ordinances, and for that purpose that ordinance or ordinances shall be deemed to remain and shall continue in full force and effect.

SECTION 13.

It is the intention of the City Council and is hereby ordained that the provisions of this ordinance shall become a part of the Code of Ordinances of the City of Burleson, and that the sections of this ordinance may be renumbered or relettered to accomplish such intention.

SECTION 14.

It is hereby officially found and determined that the meetings at which this ordinance is passed were open to the public and that public notice of the time, place, and purpose of said meetings were given as required by law.

SECTION 15.

Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in V.T.C.A. Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

SECTION 16.

Pursuant to Section 36 of the Charter of the City of Burleson, that this ordinance shall take effect after its passage and publication, and that the City Secretary is hereby directed to give notice of the passage of this ordinance by causing the caption or title and the penalty clause of this ordinance to be published once in a newspaper of general circulation in the city and on the city's website.

AND IT SO ORDAINED.

PASSED AND APPROVED: the _____ day of _____, 20____.

First Reading: the _____ day of _____, 20____.

Final Reading: the _____ day of _____, 20____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

Amanda Campos, City Secretary

APPROVED AS TO FORM & LEGALITY:

E. Allen Taylor, Jr., City Attorney

City Council Regular Meeting

DEPARTMENT: Parks and Recreation
FROM: Eric Oscarson, Deputy City Manager
MEETING: October 5, 2026

SUBJECT:

Hold a public hearing and consider and take possible action on an ordinance establishing Standards of Care for childcare programs operated by the Parks and Recreation Department. (First Reading) *(Staff Contact: Eric Oscarson, Deputy City Manager)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Great Place to Live Through Expanded Quality of Life Amenities	4.2 Provide high-quality recreation opportunities, events and facilities for residents

SUMMARY:

Purpose:

To provide basic childcare regulations for recreation activities operated by the Burleson Parks and Recreation Department. This will allow the department to qualify for exemption from the requirements of the Texas Human Resources Code. The childcare programs offered by the Burleson Parks and Recreation Department are not licensed by the State of Texas. These standards of care are adopted by city ordinance pursuant to Section 42.041(b)(14) of the Texas Human Resources Code.

Implementation:

Oversight of all youth service programs will be the responsibility of the Burleson Parks and Recreation Department. Department leadership will supervise overall program components, while designated program and on-site staff will provide direct, day-to-day administration.

Programs:

These standards and regulations apply to all ongoing youth programs offered through the

department. Program categories may include, but are not limited to, day camps, sports clinics, arts and cultural programs, agricultural and culinary experiences, and music or performance-based activities.

Additional Information:

Each program location will keep a current copy of the Standards of Care available for both staff and the public. Parents or guardians will also receive a copy prior to the start of the program.

RECOMMENDATION:

Approval

PRIOR ACTION/INPUT (Council, Boards, Citizens):

Council approved on October 20, 2025

REFERENCE:

N/A

FISCAL IMPACT:

N/A

STAFF CONTACT:

Eric Oscarson
Deputy City Manager
eoscarson@burlesontx.com
817-426-9837



PARKS AND RECREATION STANDARDS OF CARE

City Council: October 5, 2026

Staff Presenter: Eric Oscarson, Deputy City Manager



BACKGROUND

- The Texas Department of State Health Services (DSHS) regulates licensed childcare, but municipal day camps are exempt from state childcare licensing.
- Instead, cities must adopt their own “Standards of Care Ordinance” annually to operate youth programs without being classified as a childcare facility.
- Purpose: To establish basic childcare regulations for recreation-based youth programs operated by the Burleson Parks and Recreation Department.

IMPLEMENTATION

- Oversight of all youth service programs will be the responsibility of the Burleson Parks and Recreation Department.
- Department leadership will supervise overall program components, while designated program and on-site staff will provide direct, day-to-day administration.



PROGRAMS COVERED



These standards and regulations apply to all ongoing youth programs offered through the department.

Program categories may include, but are not limited to:

- Day camps
- Sports clinics
- Arts and cultural programs
- Agricultural and culinary experiences
- Music or performance-based activities

STANDARDS OF CARE

Burleson Parks and Recreation Standards of Care cover:

- General Information/Administration
- Staffing
- Facility Standards
- Service Standards - Staff
- Operational Issues
- General Guidelines for Children
- Activities
- Monitoring and Enforcement



DIRECTION / QUESTIONS



ORDINANCE

AN ORDINANCE ADOPTING THE CITY OF BURLESON YOUTH PROGRAMS STANDARDS OF CARE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING A CUMULATIVE CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Texas Human Resources Code, Section 42.041(b)(14), establishes requirements for exempting recreational programs operated by municipalities for elementary age (5-13) children from childcare licensing requirements; and

WHEREAS, in order to receive exempt status for a youth recreation program, a municipality must adopt standards of care by ordinance after a public hearing for the program, then submit a copy of program standards, a notice of the public hearing for the program and a copy of the ordinance adopting the standards to the State; and

WHEREAS, the City Council has reviewed proposed standards of care that include staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and

WHEREAS, the City Council held a public hearing on this matter prior to the adoption of this ordinance; and

WHEREAS, the City Council finds that the youth programs standards of care will provide basic child care regulations for day camp activities operated by the City of Burleson in accordance with Section 42.041(b)(14) of the Texas Human Resources Code;

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

Section 1.

The City Council hereby adopts the City of Burleson Youth Programs Standards of Care for providing basic child care regulations for day camp activities operated by the City of Burleson. A substantial copy of the City of Burleson Youth Programs Standards of Care is attached hereto as Exhibit "A" and incorporated herein for all purposes.

Section 2.

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

Section 3.

This ordinance shall be cumulative of all provisions of the City Code and other ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

Section 4.

The terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 5.

The City Secretary shall provide for the publication of this ordinance after its passage and as provided by law.

Section 6.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

AND IS SO ORDAINED.

First Reading: the _____ day of _____, 20____.

Final Reading: the _____ day of _____, 20____.

PASSED AND APPROVED this the _____ day of _____, 20____.

Chris Fletcher, Mayor

(Seal)

ATTEST:

APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

**CITY OF BURLESON
PARKS AND RECREATION
YOUTH PROGRAMS – STANDARDS OF CARE**

I. GENERAL INFORMATION/ADMINISTRATION

- Purpose: To provide basic childcare regulations for recreation activities operated by the Burleson Parks and Recreation Department. This will allow the department to qualify for exemption from the requirements of the Texas Human Resources Code. The childcare programs offered by the Burleson Parks and Recreation Department are not licensed by the State of Texas. These standards of care are adopted by city ordinance pursuant to Section 42.041(b)(14) of the Texas Human Resources Code.
- Implementation: Oversight of all youth service programs will be the responsibility of the Burleson Parks and Recreation Department. Department leadership will supervise overall program components, while designated program and on-site staff will provide direct, day-to-day administration.
- Programs: These standards and regulations apply to all ongoing youth programs offered through the department. Program categories may include, but are not limited to, day camps, sports clinics, arts and cultural programs, agricultural and culinary experiences, and music or performance-based activities.
- Other: Each program location will keep a current copy of the Standards of Care available for both staff and the public. Parents or guardians will also receive a copy prior to the start of the program.
- Program Sites:
 - Burleson Recreation Center 550 NW Summercrest Blvd. Burleson, TX 76028
 - Russell Farm Art Center 405 W County Road 714 Burleson TX, 76028
 - Additional programs may also be hosted at City parks or other partnering facilities as appropriate.
- General Program Objectives
 - To offer a broad program with a wide variety of recreational activities, including sports, games, arts and crafts, education, drama, special events, field trips, and tournaments.
 - To provide a pleasant and memorable experience in a supportive and caring atmosphere.

- To ensure a safe environment that promotes the health, well-being, and welfare of all participants.
 - To teach children positive ways to spend their leisure time, supporting their emotional, physical, and social development.
 - To encourage inclusivity by welcoming participants of all abilities and backgrounds.
 - To promote creativity, teamwork, and problem-solving skills through diverse program experiences.
 - To strengthen community connections by fostering friendships, family involvement, and partnerships with local resources.
- Exemption Status: Once an exempt status is established, the Licensing Division of the Texas Department of Protective and Regulatory Services will not monitor the recreational program. The Licensing Division will be responsible for investigating complaints of unlicensed childcare and for referring other complaints to the municipal authorities or, in the case of abuse/neglect allegations, to the Burleson Police Department.
 - Standards of Care Review: Standards will be reviewed annually and approved by the City Council after a public hearing is held to adopt an ordinance regarding section 42.041(b)(14) of the Human Resources Code.
 - These programs are recreational in nature and are not licensed child care facilities. Child Care Licensing will not regulate these programs nor investigate complaints related to them. The City of Burleson Parks and Recreation Department operates these programs as recreational opportunities for the community, not as state-licensed child care.
 - Parents, visitors, or staff are encouraged to share any concerns, feedback, or complaints by calling the Burleson Recreation Center at 817-426-9104. Calls will be directed to the appropriate supervisor for follow-up.

II. STAFFING

- Staff Roles and Responsibilities
 - Program staff are responsible for supervising participants, leading activities, and maintaining a safe and positive environment. Staff are expected to keep accurate records (such as attendance and incident reports), follow established schedules while adapting as needed, and ensure program areas remain clean and organized. Staff must demonstrate strong communication and conflict resolution skills, uphold discipline and order, and model professionalism at all times. Other duties may be assigned as needed to support program operations.
- Qualifications
 - Minimum age of 16 to serve in program support roles, with direct child supervision requiring an adult (age 18 or older) present.

- Positive, professional attitude with the ability to work effectively with children, families, and peers.
 - Knowledge of age-appropriate activities and the ability to adapt them to meet participant needs.
 - Strong interpersonal skills, with the ability to engage respectfully and fairly with a diverse group of participants.
 - Ability to communicate effectively in a professional and authoritative manner.
 - Physical ability to perform job functions, which may include standing, walking, bending, reaching, swimming, and lifting up to 50 pounds (100 pounds with assistance).
 - Must successfully complete a criminal background check.
 - Must obtain and maintain certifications in First Aid and Child & Adult CPR/AED (training provided by the department).
- Criminal Background Checks
 - All prospective employees will undergo a criminal background check. Applicants may be disqualified if they have job-related criminal convictions.
 - Drug Testing
 - Prospective employees may be subject to drug testing prior to employment. Positive test results may disqualify an applicant from employment.
 - Staffing Ratios
 - Staff-to-participant ratios will be maintained in accordance with program type, age of participants, and activity setting. Ratios will be established to ensure appropriate supervision and participant safety across all age groups.

III. FACILITY STANDARDS

- Emergency evacuation and participant relocation plans will be posted at each facility.
- Program employees will inspect sites frequently for sanitation and safety concerns and report issues to the appropriate Supervisor.
- Each program facility must have a fully stocked and up-to-date first aid kit, checked and restocked regularly.
- In any evacuation, staff will prioritize moving participants to a safe location.
- The Fire Marshall will inspect program sites annually, and Supervisors are responsible for compliance with directives.
- Fire extinguishers shall be available, inspected quarterly, and maintained for use.

- Emergency Action Plans will be reviewed during new staff orientation and reinforced in staff trainings.
- Medication will only be administered with written parental consent. Prescription and non-prescription medication must be in the original container, labeled with the child's name, and within expiration date.
- Participant medical, personal, and enrollment information will be kept confidential and accessible only to authorized staff and parents/guardians.
- Each indoor site shall have adequate restrooms and sinks accessible to children with appropriate staff supervision.
- All participants must be able to manage their own toileting and hygiene needs to be registered.
- Participants must wear appropriate footwear for safety.
- Emergency contact information and authorized pick-up persons must be on file for all participants.
- Only staff, registered participants, parents/guardians, and approved visitors are permitted in program areas.
- Program areas and equipment will be cleaned and sanitized regularly.
- Weather-related safety procedures will be followed, including heat protocols and severe weather sheltering. Outdoor activities will be modified or canceled when conditions pose a risk to participants.

IV. SERVICE STANDARDS - STAFF

This information will be provided to each staff member as part of new hire orientation:

- Staff must wear uniforms or staff shirts and appropriate attire, including footwear, at all times for easy identification.
- Participants and parents will be treated with respect at all times.
- Staff are responsible for the direct supervision of participants to ensure safety and well-being.

- Staff will take it upon themselves to resolve complaints. If unable to resolve immediately, staff will collect the customer's name and phone number, report the issue to a supervisor, and ensure timely follow-up.
- Staff will keep parents informed of planned activities and any changes to the schedule.
- Staff will document participant behavior (accomplishments, discipline issues, general activities) and communicate updates to parents as needed.
- Staff will monitor the sign-in/out log at all times and release children only to authorized persons.
- Staff shall clean program areas after each activity, including sweeping/vacuuming floors, stacking chairs, cleaning mirrors, and putting away supplies, recognizing that spaces are shared with other groups.
- Staff will dedicate their on-duty time to participants and parents to ensure a meaningful and pleasant experience.
- Prior to working with participants, staff will check messages and emails for the day.
- A certified lifeguard will be present at all times when participants or staff are in or around any pool or aquatic facility.
- Staff must avoid being alone with a child in a private setting; whenever possible, interactions should occur in group or visible areas.
- Staff are required to complete and maintain all mandatory training, including First Aid, CPR, AED, and emergency procedures.

V. OPERATIONAL ISSUES

- Emergency phone numbers for fire, police, and ambulance services will be kept at each facility.
- A Program Manual is given to every staff member and includes discipline procedures, city rules and regulations, required forms, service standards, activity leadership, and guidelines for interacting with children. Additional copies are available at each site.
- Check-in/out procedures will be established for each program. Only adults listed on registration/release forms will be allowed to pick up children.

- Emergency evacuation and relocation plans will be posted at each facility.
- Parents will be notified of planned field trips and required to complete release forms.
- Secure enrollment records will be maintained for each participant and could include: child's name, date of birth, address, parent contact information, emergency contacts, physician's phone number, authorized pick-up persons, liability waivers, swim ability, medical/medication information, and releases. Records will be kept confidential and shared only with authorized staff and parents.
- Staff will immediately notify parents/guardians when a child is injured or involved in a situation that placed them at risk. Parents will also be notified of communicable disease outbreaks or infestations (e.g., lice) within participant groups.
- Medications will be stored securely and administered only with written parental consent, in accordance with labeling and expiration dates.
- Discipline and guidance must be consistent with children's needs and developmental levels. Harsh, cruel, or unusual punishment will not be permitted, including corporal punishment, humiliation, abusive language, food withholding, or isolation in locked/dark rooms.
- Brief, supervised separation from the group may be used when necessary. All disciplinary incidents must be documented and shared with parents, and ongoing issues may result in removal from the program.
- Participants must have immunizations as required by the Texas Department of State Health Services for school attendance.
- Ill children may not participate until a medical evaluation clears them. Staff will call 911 for any injury requiring professional medical attention and complete incident reports for all injuries.
- Staff are mandated reporters of suspected child abuse or neglect and must immediately work with their supervisor to make a report to law enforcement or the Department of Family and Protective Services. Staff will not face retaliation for good-faith reporting.

VI. GENERAL GUIDELINES FOR CHILDREN

- Children may not use the phone except in emergencies; staff will make the call on their behalf.

- Children must stay off elevated surfaces (tables, counters, ping pong tables, etc.).
- Children should walk inside the building; running is allowed only in designated areas.
- Bouncing or throwing balls is permitted only in designated areas.
- Active games using equipment that could damage windows, shades, lights, or ceilings must be played only in the gym.
- Children must respect staff, peers, and others' property, and treat all participants with inclusivity and fairness. Bullying, teasing, harassment, or exclusion of any participant is prohibited. Staff will intervene immediately to ensure all children are treated with respect and inclusivity
- Children must wear appropriate footwear at all times.
- Children must remain under close supervision and are not permitted to mix with the general public except during designated activities such as swim time or field trips. Staff are responsible for knowing the location of every child at all times.
- Children must follow staff instructions at all times, including during emergencies or drills.
- Failure to follow these guidelines may result in staff intervention, removal from an activity, or removal from the program if behavior endangers themselves or others.

VII. ACTIVITIES

- Activities for each group will be planned according to participant age, interests, and abilities, and should be flexible to promote social, emotional, and educational development.
- All activities will be supervised to ensure safety, and staff-to-participant ratios will be maintained at all times.
- During field trips, staff will:
 - Conduct head counts before leaving the program site and before leaving the field trip site.
 - Carry each child's medical information, necessary medications, and a fully stocked first aid kit.
 - Carry a cellular phone for emergency use.
 - Ensure participants wear identifying shirts or other identifiers for easy recognition.
 - Follow all transportation safety procedures, including licensed drivers and seatbelt use if applicable. All vehicles will be maintained according to city safety standards.

- Reinforce participant behavior expectations and emergency procedures, including lost child protocols or severe weather responses.

VIII. MONITORING AND ENFORCEMENT

Standards of care established by the City of Burleson will be monitored and enforced by the city departments responsible for their respective areas:

- **Health and Safety Standards:** The City's Police, Fire, and Code Enforcement Departments will monitor and enforce facility safety, emergency preparedness, sanitation, and related health and safety requirements.
- **Staff and Program Standards:** The Burleson Parks and Recreation Department will monitor and enforce compliance with staff conduct, supervision, program operations, and participant care.

Non-compliance with these standards may result in corrective actions, including staff retraining, program adjustments, or other measures necessary to maintain participant safety and program quality.

City Council Regular Meeting

DEPARTMENT: Economic Development

FROM: Alex Philips, Director of Economic Development

MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on amended and restated real estate contract for the purchase of city owned property located at 112 SE Gardens Boulevard, Burleson, Texas in the amount of \$500,000 dollars. (*Staff Contact:* Alex Philips, Director of Economic Development)

STRATEGIC PRIORITY AND GOAL(S):

 Dynamic & Preferred City Through Managed Growth	Strategic Goal 2.1 Attract and retain top-tier businesses 2.2 Promote sustainable residential and commercial development through strategic and long-term planning 2.3 Enhance connectivity and improve mobility 2.4 Implement the city's Capital Improvement Program Develop and maintain facilities and utility services
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SUMMARY:

The City of Burleson released a request for proposal on the property on August 1, 2025. The site is 2.45 acres and is located at 112 SE Gardens Boulevard. The minimum bid for the proposal was \$500,000 with a development scenario that would include multiple commercial buildings and have a compatible architecture to the surrounding area.

At the September 15, 2025 Council meeting BTX Flex, LLC was awarded the project from the request for proposal.

The proposal includes a commercial development that would have users that are currently in the City's code of ordinances. The minimum capital investment for the development would be at least \$2,000,000 and would include 4-5 buildings ranging from 2,800 square feet to 5,900 square feet in size.

Earlier this year in March, City Council approved the performance agreement and the real estate contract for the development at 112 S.E. Gardens Boulevard. The amendment to the contract is due to the developers needing more time to zone the property for full development. The developers have been working with staff to create a planned development zoning document.

The amendment is changing dates within the real estate contract and the agreement as follows:

BTX Flex Obligations

- BTX Flex to obtain a building permit for the first building by April 30, 2027.
- BTX Flex to commence construction by May 31, 2027.
- BTX Flex to obtain the certificate of occupancy for the first building by April 1, 2028.
- BTX Flex to obtain the certificate of occupancy for the final building by January 1, 2030.

City of Burleson Obligations

- City of Burleson to issue a cash grant in the amount of \$96,667 once a building permit for the first building is obtained.
- City of Burleson to issue a cash grant in the amount of \$96,667 once the certificate of occupancy for the first building is obtained.
- City of Burleson to issue a cash grant in the amount of \$96,666 once the certificate of occupancy for the final building is obtained.

RECOMMENDATION:

Staff recommends approval

PRIOR ACTION/INPUT (Council, Boards, Citizens):

City Council approved the real estate contract on March 23, 2026.

REFERENCE:

FISCAL IMPACT:

Proposed Expenditure/Revenue: \$500,000
Account Number(s): 1014201-47700, 1014201-66045

Fund: GF
Account Description: Land Sale, GF Economic Incentives

STAFF CONTACT:

Alex Philips
Director of Economic Development
aphilips@burlesontx.com
817-426-9613

Project Bonus

BTX Flex Overview

- Project would be a Commercial project and would have uses that are currently in the code.
- Total project would have a capital investment of \$2.0 - \$2.5M
- There could only be 4 buildings potentially due to drainage and detention.
- Uses would be small commercial business like Auto Tint business to a smaller service company.
- The project would activate a piece of property in the City as well as provide a type of buildings that we do not have vacant in the community.



BTX Flex Project

- Developer has been conducting due diligence since the approval of the contract and agreement in March.
- Developer is requesting new performance dates due to rezoning the property to a Planned Development zoning.
- The zoning will restrict uses staff does not want to see and better align with the vision of the development with minimal retail and more of the mix of uses that are desired like smaller companies and service providers.
- All of the dates proposed are 6 months later than the original contract and agreement.



Proposed Incentives

BTX Flex Obligations

- BTX Flex to close on the property within 30 days after due diligence period is over in the amount of \$500,000.
- BTX Flex to obtain a building permit for the first building by April 30, 2027.
- BTX Flex to commence construction by May 31, 2027.
- BTX Flex to obtain the certificate of occupancy for the first building by April 1, 2028.
- BTX Flex to obtain the certificate of occupancy for the final building by January 1, 2030.

City of Burleson Obligations

- City of Burleson to issue a cash grant in the amount of \$96,667 once a building permit for the first building is obtained.
- City of Burleson to issue a cash grant in the amount of \$96,667 once the certificate of occupancy for the first building is obtained.
- City of Burleson to issue a cash grant in the amount of \$96,666 once the certificate of occupancy for the final building is obtained.

Total Incentive - \$290,000

Incentive Package Performa

	2028 Year 1	2029 Year 2	2030 Year 3	2031 Year 4	2032 Year 5	2033 Year 6	2034 Year 7	2035 Year 8	2036 Year 9	2037 Year 10	2047 Year 20
CAPEX	\$ 2,000,000		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Appraised Value (70% of CAPEX)	\$ 1,400,000	\$ 1,414,000	\$ 1,428,140	\$ 1,442,421	\$ 1,456,846	\$ 1,471,414	\$ 1,486,128	\$ 1,500,989	\$ 1,515,999	\$ 1,531,159	\$ 1,691,353
Revenue											
Property sale	\$ 500,000										
Sales Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Property Tax	\$ 10,080	\$ 10,181	\$ 10,283	\$ 10,385	\$ 10,489	\$ 10,594	\$ 10,700	\$ 10,807	\$ 10,915	\$ 11,024	\$ 12,178
Expenses											
Site Improvements	\$ (96,666.00)	\$ (96,666.00)	\$ (96,668.00)	\$ -	\$ -	\$ -	\$ -	\$ -			
Annual	\$ 413,414	\$ (86,485)	\$ (86,385)	\$ 10,385	\$ 10,489	\$ 10,594	\$ 10,700	\$ 10,807	\$ 10,915	\$ 11,024	\$ 12,178
Cumulative		\$ 326,929	\$ 240,543	\$ 250,929	\$ 261,418	\$ 272,012	\$ 282,712	\$ 293,520	\$ 304,435	\$ 315,459	\$ 431,952

10yr ROI – 109%

20yr ROI – 149%

Motions

Approve or deny the amended and restated real estate contract between the City of Burleson and BTX Flex, LLC, located at 112 SE Gardens Blvd.

Approve or deny the amended and restated performance agreement between the City of Burleson and BTX Flex, LLC, located at 112 SE Gardens Blvd.



Questions / Comments

Alex Philips
Economic Development Director
aphilips@burlesontx.com
817-426-9638



The Development

A
Retail

C
Flex-office

B
Flex-office

E
Flex-office

D
Flex-office

SE Gardens Blvd.

SW Johnson Ave.

City Council Regular Meeting

DEPARTMENT: Economic Development

FROM: Alex Philips, Director of Economic Development

MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on an amended and restated Performance Agreement between the City of Burleson and BTX Flex, LLC., Inc. (CSO#6105-04-2026) for a commercial flex development located at 112 SE Gardens Boulevard in Burleson, Texas. *(Staff Contact: Alex Philips, Director of Economic Development)*

STRATEGIC PRIORITY AND GOAL(S):

 Dynamic & Preferred City Through Managed Growth	Strategic Goal
	2.1 Attract and retain top-tier businesses 2.2 Promote sustainable residential and commercial development through strategic and long-term planning 2.3 Enhance connectivity and improve mobility 2.4 Implement the city's Capital Improvement Program Develop and maintain facilities and utility services

SUMMARY:

The City of Burleson released a request for proposal on the property on August 1, 2025. The site is 2.45 acres and is located at 112 SE Gardens Boulevard. The minimum bid for the proposal was \$500,000 with a development scenario that would include multiple commercial buildings and have a compatible architecture to the surrounding area.

At the September 15, 2025 Council meeting BTX Flex, LLC was awarded the project from the request for proposal.

The proposal includes a commercial development that would have users that are currently in the City's code of ordinances. The minimum capital investment for the development would be at

least \$2,000,000 and would include 4-5 buildings ranging from 2,800 square feet to 5,900 square feet in size.

Earlier this year in March, City Council approved the performance agreement and the real estate contract for the development at 112 S.E. Gardens Boulevard. The amendment to the contract is due to the developers needing more time to zone the property for full development. The developers have been working with staff to create a planned development zoning document.

The amendment is changing dates within the real estate contract, and the agreement is as follows:

BTX Flex Obligations

- BTX Flex to obtain a building permit for the first building by April 30, 2027.
- BTX Flex to commence construction by May 31, 2027.
- BTX Flex to obtain the certificate of occupancy for the first building by April 1, 2028.
- BTX Flex to obtain the certificate of occupancy for the final building by January 1, 2030.

City of Burleson Obligations

- City of Burleson to issue a cash grant in the amount of \$96,667 once a building permit for the first building is obtained.
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- City of Burleson to issue a cash grant in the amount of \$96,666 once the certificate of occupancy for the final building is obtained.

RECOMMENDATION:

Staff recommends approval

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

FISCAL IMPACT:

Proposed Expenditure/Revenue: \$290,000
 Account Number(s): 1014201-66045
 Fund: GF
 Account Description: GF Economic Incentives

STAFF CONTACT:

Alex Philips
Director of Economic Development
aphilips@burlesontx.com
817-426-9613

Project Bonus

BTX Flex Overview

- Project would be a Commercial project and would have uses that are currently in the code.
- Total project would have a capital investment of \$2.0 - \$2.5M
- There could only be 4 buildings potentially due to drainage and detention.
- Uses would be small commercial business like Auto Tint business to a smaller service company.
- The project would activate a piece of property in the City as well as provide a type of buildings that we do not have vacant in the community.



BTX Flex Project

- Developer has been conducting due diligence since the approval of the contract and agreement in March.
- Developer is requesting new performance dates due to rezoning the property to a Planned Development zoning.
- The zoning will restrict uses staff does not want to see and better align with the vision of the development with minimal retail and more of the mix of uses that are desired like smaller companies and service providers.
- All of the dates proposed are 6 months later than the original contract and agreement.



Proposed Incentives

BTX Flex Obligations

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Total Incentive - \$290,000

Incentive Package Performa

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Motions

Approve or deny the amended and restated real estate contract between the City of Burleson and BTX Flex, LLC, located at 112 SE Gardens Blvd.

Approve or deny the amended and restated performance agreement between the City of Burleson and BTX Flex, LLC, located at 112 SE Gardens Blvd.



Questions / Comments

Alex Philips
Economic Development Director
aphilips@burlesontx.com
817-426-9638

City Council Regular Meeting

DEPARTMENT: Police
FROM: Billy Cordell, Chief of Police
MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on an ordinance amending Chapter 58 "Parks and Recreation" by adding electric motorcycles to the list of prohibited motor vehicles in city parks, by adding electric bicycles to the list of wheeled equipment that may be prohibited at city parks if designated by proper signage, and amending Chapter 78 "Traffic and Vehicles" by adding a prohibition of operating an electric motorcycle, pocket bike, mini-motorbike, and ATVs on city property, by adding a prohibition of any child to operate certain wheeled devices without a helmet, and by adding the prohibition for any parent or guardian to permit a child to operate certain wheeled devices. *(Staff Contact: Wes Routson, Deputy Chief of Police)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Beautiful, Safe, & Vibrant Community	1.2 Continue community policing and risk reduction programs

SUMMARY:

The increasing prevalence of E-Bikes and electric vehicles has prompted a review of current municipal regulations pertaining to their operation within city parks and on city-owned property. In the interest of public safety and consistent enforcement, staff has prepared recommendations for the Council's consideration.

1. **E-Bike and Electric Vehicle Regulation** – Review of proposed amendments addressing the operation of E-Bikes and electric vehicles in city parks and on city-owned property.
2. **Safety Helmet Requirements** – Consideration of a new ordinance establishing safety helmet requirements for applicable riders and operators.

RECOMMENDATION:

Staff recommends that the City Council receive the report, hold discussion, and provide direction regarding the proposed ordinances and amendments.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

Presented to Public Safety Committee on June 03, 2026.

Presented to City Council on July 20, 2026.

REFERENCE:

None

FISCAL IMPACT:

Proposed Expenditure/Revenue: NA

Account Number(s): NA

Fund: NA

Account Description: NA

Procurement Method: NA

STAFF CONTACT:

Wes Routson

Deputy Chief of Police

wroutson@burlesontx.com

817-426-9947



Burleson Police Department

E-Bikes and Helmet Ordinances

October 05, 2026

Objective

- Understand the current laws on E-Bikes and E-Motorcycles.
- Recognize current State Laws in place.
- Amend current City Ordinances in place on E-Bikes.
- Propose City Ordinances on E-Bikes and E-Motorcycles.
- Propose safety helmet ordinance.





History

- The city has seen an increase in E-Bike and E-Motorcycle usage in City Parks and City Streets.
- There have been increased concerns and complaints called into the police department by citizens regarding the usage of these types of bicycles in the parks and on the trails maintained by the Parks Department.

Officers have worked minor accidents involving E-Bikes by juveniles.

E-Bike Versus E-Motorcycle

E-BIKE



E-MOTORCYCLE



E-Bike Definition

E-Bikes are divided into three classes:

- **Class 1:** Motor assists only while pedaling; maximum speed of 20 MPH
- **Class 2:** Motor assists without pedaling; maximum speed of 20 MPH
- **Class 3:** Motor assists while pedaling; maximum speed between 20–28 MPH

Per Transportation Code §664.001, an electric bicycle is defined as a bicycle equipped with fully operable pedals and an electric motor of fewer than 750 watts, with a top speed of 28 MPH or less.

* If the E-Bike has greater than the 750 watt motor, it is no longer classified as a bicycle, but now defined as a motor vehicle Sec. 541.201 Texas Transportation Code.

State Laws

Sec. 551.106. REGULATION OF BICYCLES BY DEPARTMENT OR LOCAL AUTHORITY.

(a) The department or a local authority may not prohibit the operation of an electric bicycle:

- (1) on a highway that is used primarily by motor vehicles; or
- (2) in an area in which the operation of a nonelectric bicycle is permitted, unless the area is a path that:
 - (A) is not open to motor vehicles; and
 - (B) has a natural surface tread made by clearing and grading the native soil without adding surfacing materials.

(b) The department or a local authority may:

- (1) prohibit the operation of a bicycle on a sidewalk; and
- (2) establish speed limits for bicycles on paths set aside for the exclusive operation of bicycles and other paths on which bicycles may be operated.

(c) The department may establish rules for the administration of this section if necessary.

State Laws

- Transportation Code Section 551.106 means that the City may NOT prohibit e-bikes:
 - On public streets
 - In any area where standard bikes are permitted, unless it's a mountain bike trail (a path that is not open to motor vehicles and is a "natural" dirt trail)
- E-Motorcycles are not allowed on public streets unless the electronic motorcycle is designed for use on a highway and eligible for a certificate of title under Transportation Code, Chapter 501

State Laws

Sec. 551.107. OPERATION OF ELECTRIC BICYCLE.

- (a) Subtitles A, B, and D and Chapter 551A do not apply to the operation of an electric bicycle.
- (b) A person may not operate an electric bicycle unless the electric motor disengages or ceases to function either:
 - (1) when the operator stops pedaling; or
 - (2) when the brakes are applied.
- (c) **A person may not operate a Class 3 electric bicycle, as defined by Section 664.001, unless the person is at least 15 years of age. This subsection does not prohibit a person who is under 15 years of age from riding on a Class 3 bicycle as a passenger.**

City Ordinances

- ☐ § 58-6 Off-road recreational motor vehicles in parks. (Amend)
- ☐ § 58-23 Bicycles, roller blades, skateboards and other wheeled equipment. (Amend)
- ☐ § 78-6 Electric motorcycles, pocket bikes, mini-motorbike, and ATVs in city property. (New)
- ☐ § 78-7 Helmet required. (New)

City Ordinances (Amend)

§ 58-6 Off-road recreational motor vehicles in parks.

The riding of off-road recreational motor vehicles, including, but not limited to, motorcycles (commonly referred to as "dirt bikes"), electric motorcycles (commonly referred to as "e-motorcycles"), unless the electronic motorcycle is designed for use on a highway and eligible for a certificate of title under V.T.C.A., Transportation Code, Chapter 501, and operating in a location authorized for motor vehicles, and all-terrain vehicles (ATVs), as defined by V.T.C.A., Transportation Code § 551A.001, is prohibited in all city parks except when such use is by a city employee in the exercise of their official duties.

City Ordinances (Amend)

§ 58-23 Bicycles, roller blades, skateboards and other wheeled equipment.

It shall be unlawful for any person to use a bicycle, roller blades, skateboard, scooters, electric bicycles (commonly referred to as “e-bikes”), as defined by V.T.C.A., Transportation Code § 664.001, or other wheeled equipment, excluding wheeled equipment for the disabled, in designated parks or recreation areas or any portion of parks or recreation areas where such use is prohibited and has been so designated by signs indicating such prohibition.

- *No parks have been identified as having been designated under this ordinance at this time.*
- *Pursuant to state law, if e-bikes are prohibited, standard bicycles must also be prohibited unless it's a mountain bike trail*

City Ordinances (New)

§ 78-6 Electric motorcycles, pocket bike, mini-motorbike, and ATVs in city property.

It shall be unlawful for any person to operate an electric motorcycle (commonly referred to as an “e-motorcycle”), unless the electronic motorcycle is designed for use on a highway and eligible for a certificate of title under V.T.C.A., Transportation Code, Chapter 501, pocket bike or mini-motorbike, as those terms are defined by V.T.C.A., Transportation Code § 551.351, or all-terrain vehicle (ATV), as defined by V.T.C.A., Transportation Code § 551A.001, on any sidewalk or in or on any real property, including any parking lot, owned or maintained by the City of Burleson, except when such use is by a city employee in the exercise of their official duties.

City Ordinances (New)

§ 78-7 Helmet required.

- (a) It shall be unlawful for any child to operate or ride upon a bicycle, electric bicycle, motor-assisted scooter, or any side car, trailer, child carrier, seat, or other device attached to a bicycle or electric bicycle, unless the child is wearing a helmet.

- (b) It shall be unlawful for a parent to permit a child to operate or ride upon a bicycle, electric bicycle, motor-assisted scooter, or any side car, trailer, carrier, seat, or other device attached to a bicycle unless the child is wearing a helmet.

- (c) It is a defense to prosecution that the bicycle or electric bicycle was not being operated upon a public way at the time of the alleged offense.

City Ordinances (Continued)

§ 78-7 Helmet required.

(d) It is an affirmative defense to prosecution under this section, upon first offense only, that the person owns or has acquired a helmet prior to the court hearing and promises the court that the helmet will be used in the future.

(e) Penalty.

(1) Any person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction shall be fined an amount not exceeding \$50 upon first conviction and an amount not exceeding \$100 upon the second and each subsequent conviction.

(2) The purpose of this section is to promote bicycle safety by encouraging the use of helmets. In keeping with that purpose, the municipal court is urged to consider deferred dispositions under Tex. Code of Criminal Procedure Article 45.051 whenever the circumstances warrant deferred dispositions. Conditions of the deferral may include that the defendant, if financially able, obtain a helmet and promises the court that the helmet will be used in the future.

City Ordinances (Continued)

§ 78-7 Helmet required.

(f) For purposes of this section, the following words and phrases shall be defined as follows:

- (1) “Bicycle” means every device propelled by human power upon which any person may ride, having two tandem wheels which are more than 14 inches in diameter.
- (2) “Child” means any person 16 years of age and under.
- (3) “Electric bicycle” shall have the same meaning as that term is defined by V.T.C.A., Transportation Code § 664.001.
- (4) “Helmet” means a properly fitted bicycle helmet that is not structurally damaged and that conforms to the standards of the American National Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation or any federal agency having regulatory jurisdiction over bicycle helmets, as applicable, at the time of the manufacture of the helmet.

City Ordinances (Continued)

§ 78-7 Helmet required.

(5) “Motor-assisted scooter” means a self-propelled device with: (i) At least two wheels in contact with the ground during operation; (ii) A braking system capable of stopping the device under typical operating conditions; (iii) A gas or electric motor not exceeding 40 cubic centimeters; (iv) A deck designed to allow a person to stand or sit while operating the device; (v) The ability to be propelled by human power alone; and (vi) Does not include a pocket bike or a mini-motorbike.

(6) “Parent” means the natural or adoptive parent or court-appointed guardian or conservator of a child.

(7) “Pocket bike” or “Mini-motorbike” shall have the same meaning as those terms are defined by V.T.C.A., Transportation Code § 551.351.

(8) “Public way” means any property that is publicly owned or maintained, including, but not limited to, a street or highway, a publicly maintained trail, a public right of way, any public parks facility, property owned by the City of Burleson, Texas, and facilities and parking lots owned by the City of Burleson, Texas.

(9) “Wearing a helmet” means that the person has a helmet fastened securely to the person’s head with the straps of the helmet securely tightened.

Next Steps

Education Campaign

- Educate staff on E-Bike specific laws and the difference between E-Bikes and E-Motorcycles.
- Educate citizens and parents of juveniles that are operating E-Bikes that fall outside of the Texas definition of Electric Bicycle with the 3 classifications.
- Educate citizens and parents of juveniles that E-Motorcycles are not prohibited on city right of way, property, or facilities.
- Social media campaign.
- Take appropriate enforcement action of offenders in violation of the city ordinance or state law.

Signage

- Enhanced educational signage identifying authorized and prohibited equipment/vehicles will be placed throughout the park system
- While some existing signage is in place today, it is not required to enforce the following ordinances:
 - Offroad vehicles and equipment prohibition
 - E-motorcycles prohibition
 - Helmet requirements (if adopted)
- Signage is required to enforce the prohibition of e-bikes within a park or designated sections of a park; this designation requires Council action.

Questions and Direction

- Is there a desire to designate certain parks or sections of parks as prohibited for e-bike use?
 - Remember, pursuant to Transportation Code Section 551.106, the City cannot prohibit e-bike in parks unless standard bicycles are also prohibited, the only exception being mountain bike trails.
 - If standard bicycles and e-bikes are prohibited, should roller blades, skateboards, etc. be prohibited as well?
- Are there suggested revisions to the proposed ordinances?

ORDINANCE

AN ORDINANCE AMENDING ARTICLE 1, “PARKS AND RECREATION DEPARTMENT; RULES AND REGULATIONS,” OF CHAPTER 58, “PARKS AND RECREATION,” OF THE CODE OF ORDINANCES, CITY OF BURLESON, TEXAS BY ADDING ELECTRIC MOTORCYCLES TO THE LIST OF PROHIBITED MOTOR VEHICLES IN CITY PARKS AND BY ADDING ELECTRIC BICYCLES TO THE LIST OF WHEELED EQUIPMENT THAT MAY BE PROHIBITED AT CITY PARKS IF DESIGNATED BY PROPER SIGNAGE; AMENDING ARTICLE 1, “IN GENERAL,” OF CHAPTER 78, “TRAFFIC AND VEHICLES,” OF THE CODE OF ORDINANCES, CITY OF BURLESON, TEXAS BY ADDING THE PROHIBITION OF OPERATING AN ELECTRIC MOTORCYCLE, POCKET BIKE, MINI-MOTORBIKE, AND ALL-TERRAIN VEHICLES ON CITY PROPERTY, BY ADDING THE PROHIBITION OF ANY CHILD TO OPERATE CERTAIN WHEELED DEVICES WITHOUT A HELMET; AND BY ADDING THE PROHIBITION FOR ANY PARENT OR GUARDIAN TO PERMIT A CHILD TO OPERATE CERTAIN WHEELED DEVICES WITHOUT A HELMET; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas (“City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council, after due and careful consideration, has determined that it is reasonable and appropriate to limit the type of motor vehicles and other wheeled equipment operated in and on City parks and other real property owned by the City; and

WHEREAS, the City Council, after due and careful consideration, has additionally determined that it is reasonable and appropriate to require helmets be worn by children when operating bicycles, electric bicycles, motor-assisted scooters, or devices attached to bicycles or electric bicycles; and

WHEREAS, the City Council has determined that it is reasonable and appropriate to identify specific defenses, affirmative defenses, and penalties to that requirement that helmets be worn by children when operating bicycles, electric bicycles, motor-assisted scooters, or devices attached to bicycles or electric bicycles; and

WHEREAS, the City Council hereby finds and determines that the amendments and regulations set forth herein are in the best interest of the public and are adopted in furtherance of the public health, safety, welfare, morals, and general welfare.

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

SECTION I.

Section 58-6, “Off-road recreational motor vehicles in parks,” of Article 1, “Parks and Recreation Department; Rules and Regulations,” of Chapter 58, “Parks and Recreation,” of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

“§ 58-6. Off-road recreational motor vehicles in parks.

The riding of off-road recreational motor vehicles, including, but not limited to, motorcycles (commonly referred to as "dirt bikes"), electric motorcycles (commonly referred to as “e-motorcycles”), unless the electronic motorcycle is designed for use on a highway and eligible for a certificate of title under V.T.C.A., Transportation Code, Chapter 501, and operating in a location authorized for motor vehicles, and all-terrain vehicles (ATVs), as defined by V.T.C.A., Transportation Code § 551A.001, is prohibited in all city parks except when such use is by a city employee in the exercise of their official duties.”

SECTION II.

Section 58-23, “Bicycles, roller blades, skateboards, and other wheeled equipment,” of Article 1, “Parks and Recreation Department; Rules and Regulations,” of Chapter 58, “Parks and Recreation,” of the Code of Ordinances, City of Burleson, Texas is hereby amended to read as follows:

“§ 58-23. Bicycles, roller blades, skateboards and other wheeled equipment.

It shall be unlawful for any person to use a bicycle, roller blades, skateboard, scooters, electric bicycles (commonly referred to as “e-bikes”), as defined by V.T.C.A., Transportation Code § 664.001, or other wheeled equipment, excluding wheeled equipment for the disabled, in designated parks or recreation areas or any portion of parks or recreation areas where such use is prohibited and has been so designated by signs indicating such prohibition.”

SECTION III.

Article 1, “In General,” of Chapter 78, “Traffic and Vehicles,” of the Code of Ordinances, City of Burleson, Texas is hereby amended by adding Section 78-6, “Electric motorcycles, pocket bikes, mini-motorbike, and ATVs on city property,” to read as follows:

“§ 78-6. Electric motorcycles, pocket bikes, mini-motorbike, and ATVs on city property.

It shall be unlawful for any person to operate an electric motorcycle (commonly referred to as an “e-motorcycle”), unless the electronic motorcycle is designed for use on a highway and eligible for a certificate of title under V.T.C.A., Transportation Code, Chapter 501, pocket bike or mini-

motorbike, as those terms are defined by V.T.C.A., Transportation Code § 551.351, or all-terrain vehicle (ATV), as defined by V.T.C.A., Transportation Code § 551A.001, on any sidewalk or in or on any real property, including any parking lot, owned or maintained by the City of Burleson, except when such use is by a city employee in the exercise of their official duties.”

SECTION IV.

Article 1, “In General,” of Chapter 78, “Traffic and Vehicles,” of the Code of Ordinances, City of Burleson, Texas is hereby amended by adding Section 78-7, “Helmet required,” to read as follows:

“§ 78-7. Helmet required.

- (a) It shall be unlawful for any child to operate or ride upon a bicycle, electric bicycle, motor-assisted scooter, or any side car, trailer, child carrier, seat, or other device attached to a bicycle or electric bicycle, unless the child is wearing a helmet.
- (b) It shall be unlawful for a parent to permit a child to operate or ride upon a bicycle, electric bicycle, motor-assisted scooter, or any side car, trailer, carrier, seat, or other device attached to a bicycle unless the child is wearing a helmet.
- (c) It is a defense to prosecution that the bicycle or electric bicycle was not being operated upon a public way at the time of the alleged offense.
- (d) It is an affirmative defense to prosecution under this section, upon first offense only, that the person owns or has acquired a helmet prior to the court hearing and promises the court that the helmet will be used in the future.
- (e) Penalty.
 - (1) Any person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction shall be fined an amount not exceeding \$50 upon first conviction and an amount not exceeding \$100 upon the second and each subsequent conviction.
 - (2) The purpose of this section is to promote bicycle safety by encouraging the use of helmets. In keeping with that purpose, the municipal court is urged to consider deferred dispositions under Tex. Code of Criminal Procedure Article 45.051 whenever the circumstances warrant deferred dispositions. Conditions of the deferral may include that the defendant, if financially able, obtain a helmet and promises the court that the helmet will be used in the future.
- (f) For purposes of this section, the following words and phrases shall be defined as follows:
 - (1) “Bicycle” means every device propelled by human power upon which any person may ride, having two tandem wheels which are more than 14 inches in diameter.
 - (2) “Child” means any person 16 years of age and under.
 - (3) “Electric bicycle” shall have the same meaning as that term is defined by V.T.C.A., Transportation Code § 664.001.
 - (4) “Helmet” means a properly fitted bicycle helmet that is not structurally damaged and that

conforms to the standards of the American National Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation or any federal agency having regulatory jurisdiction over bicycle helmets, as applicable, at the time of the manufacture of the helmet.

- (5) “Motor-assisted scooter” means a self-propelled device with: (i) At least two wheels in contact with the ground during operation; (ii) A braking system capable of stopping the device under typical operating conditions; (iii) A gas or electric motor not exceeding 40 cubic centimeters; (iv) A deck designed to allow a person to stand or sit while operating the device; (v) The ability to be propelled by human power alone; and (vi) Does not include a pocket bike or a mini-motorbike.
- (6) “Parent” means the natural or adoptive parent or court-appointed guardian or conservator of a child.
- (7) “Pocket bike” or “Mini-motorbike” shall have the same meaning as those terms are defined by V.T.C.A., Transportation Code § 551.351.
- (8) “Public way” means any property that is publicly owned or maintained, including, but not limited to, a street or highway, a publicly maintained trail, a public right of way, any public parks facility, property owned by the City of Burleson, Texas, and facilities and parking lots owned by the City of Burleson, Texas.
- (9) “Wearing a helmet” means that the person has a helmet fastened securely to the person’s head with the straps of the helmet securely tightened.”

SECTION V.

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

SECTION VI.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable and if any phrase, clauses, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in its ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION VII.

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 Ordinance shall be fined not more than \$500.00 for each offense; provided, however, that any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of Section 78-7 set forth in Section IV of this Ordinance shall be fined not more than \$50.00 upon first conviction of an offense and not more than \$100.00 upon the second and each subsequent conviction for an offense.

SECTION VIII.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of Chapter 58, Article 1 and Chapter 78, Article 1 of the Code of Ordinances, City of Burleson, Texas and or any other ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION IX.

The City Secretary is hereby directed to publish the caption and penalty clause of this Ordinance as required by state law.

SECTION X.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

AND IT IS SO ORDAINED.

PASSED AND APPROVED this _____ day of _____, 20_____.

First Reading: the _____ day of _____, 20_____.

Final Reading: the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

City Council Regular Meeting

DEPARTMENT: City Secretary's Office
FROM: Monica Solko, Deputy City Secretary
MEETING: October 5, 2026

SUBJECT:

Consider and take possible action on a minute order electing a councilmember to serve as Mayor Pro Tem for a term of one year. *(Staff Contact: Monica Solko, Deputy City Secretary)*

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

Mayor Pro Tem is defined in the City Charter Section 22 and a process to elect the Mayor Pro Tem is outlined in City Council Policy #17. The term of the Mayor Pro Tem is one year and must be elected each year by the city council by August 31st of each year.

City Council Policy #17 outlines the process for the election of Mayor Pro Tem as follows:

- Must be a councilmember who has served at least 2 years on the city council
- Nominations and councilmembers interested in serving shall notify the City Secretary in writing at least 5 business days prior to the council meeting the election will be held

Must be at a regular council meeting and all action by the city council shall be in open session and done by a clear action.

RECOMMENDATION:

Nominate a Mayor Pro Tem for one-year term (September 2026 to August 2027).

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

City Charter Section 22

City Council Policy #17

FISCAL IMPACT:

N/A

STAFF CONTACT:

Monica Solko
Deputy City Secretary
msolko@burlesontx.com
817-426-9682



CITY COUNCIL POLICY

17

City of Burleson City Council Policy Establishing City Council Rules of Procedure For City Council Meetings

Adopted date	November 11, 1982
Revision dates	May 5, 1985 January 21, 2020; February 22, 2021; August 8, 2021; June 20, 2022; June 27, 2024; March 2, 2026
Department Name	City Council

I. AUTHORITY

Pursuant to the provisions of the Charter of the City of Burleson, Texas, the City Council shall enact rules of procedure for all meetings of the City Council of the City of Burleson, Texas, which shall be in effect upon their adoption by the City Council until such time as they are amended or new rules adopted. These guidelines shall remain flexible and in compliance with the City Charter, the Texas Open Meetings Act, and any other applicable state laws.

Pursuant to the Charter of the City of Burleson, Texas, Section 32; the city council shall meet regularly at times prescribed by its rules but not less frequently than once each month. The city secretary shall call special meetings upon the request of the mayor, city manager, or a majority of the members of the city council. All meetings must be held in accordance with state law.

II. MEETING AGENDAS

- a. **Preparation & Posting of:** The City Manager is responsible for creating the agenda and agenda packet materials for City Council meetings. The City Secretary is responsible for posting the agenda and distributing agenda packets to the City Council.
- b. **Placing Items on the Agenda:** The Mayor or any one Councilmember may request that an item be placed on the agenda by the following means:

- i. Request the item during the “Request for Future Agenda Items” during the work session portion of a Council meeting; or
- ii. Notify the City Manager, in writing, of the request at least ten (10) business days prior to any regularly scheduled City Council meeting.
- iii. The city manager shall add to the agenda all elected official initiated requests for action that incur a cost beyond the approved budget. These items should include appropriate project details and associated costs. These items are beyond and outside routine maintenance and normal operations of the city. This is to ensure complete transparency and efficient budget oversight.

c. Agenda Packet:

- i. Contents: The city council agenda packet will include a report and related documents for each item on the Consent Action and/or General Action sections of the agenda. The agenda packet posted online will not include contracts or any other documents that contain financial proposals.
- ii. Distribution: In most cases, the agenda packet should be made available to the City Council at least 5 (five) calendar days prior to the regularly scheduled City Council meeting.

d. Agenda Item Pages: Each AIP shall contain all pertinent information on the item of business. Generally, the report shall include the following order of information:

- i. Action requested of the City Council
 - 1. Items concerning an ordinance must identify the proponent of the ordinance in parenthesis following the action requested.
- ii. Background and/or historical information
 - 1. Input/Recommendations received from applicable City Boards or from the public
 - 2. Financial impact (i.e. source of funds)
 - 3. Identity of the city departmental staff member whom Council and the public should contact for additional information

e. Consent Agenda Items: The City Manager may place on the consent agenda section of the agenda any items that, in the City Manager’s view, are routine in nature. Consent agenda items should not include:

- i. An item concerning an election

- ii. An item authorizing the issuance (or notice of issuance) of any debt instrument (bonds, certificates of obligation, capital lease agreements, etc.)

Posted consent agenda items may be removed from consent by any one councilmember who request the removal during the open meeting. Any posted item on the agenda that does not require a public hearing or that is not an ordinance supplementing the adopted budget on first and final reading may be added to the consent agenda by any councilmember who requests the addition during the open meeting.

- f. **Councilmember's Obligations to be Prepared in Advance:** In order to provide for informed decision making and to instill confidence in the electorate, in advance of each meeting, each Councilmember is expected to:
 - i. Study and be familiar with all material in the agenda packet provided by the staff in advance of the meeting.
 - ii. Include staff and citizen contacts, field observations and inquiries in their preparation.
 - iii. Direct any questions about the agenda packet to the city manager's office or the staff member designated on the agenda report.

III. COUNCIL MEETINGS: RULES, PROCEDURES AND CONDUCT

a. **Presiding Officer**

- i. The Mayor presides at meetings of the City Council (City Charter, Sec. 22(a)).
- ii. The Mayor Pro Tem, who shall act as mayor during the absence or disability of the Mayor (City Charter, Sec. 22(b)).
- iii. In the event the Mayor and Mayor Pro Tem are absent, the Councilmember in attendance with the longest tenure shall preside over the meeting. In the event of a tie in tenure, the members may draw lots to determine who shall preside.

b. **Burleson Rules of Order**

- i. The rules contained in Section V of this Policy shall govern the Burleson City Council meetings in all cases to which they are applicable and not in direct conflict with State laws. These rules are intended to be fair and complete.

c. Executive Session (Closed Session)

The city council in accordance with Chapter 551 of the Texas Government Code may convene into executive session. Every consideration should be given to not convene into executive session prior to the consent agenda.

- i. The Texas Open Meetings Act (TOMA) provides for narrowly drawn exceptions to the requirement that meetings be open to the public. The City Council shall follow TOMA with regards to executive sessions requirements.
- ii. The city shall keep a certified agenda or a recording depending on requirements of Chapter 551. The city secretary or designee shall be responsible for the certified agenda and when required by law a recording of the executive session; no one else in attendance may keep a record or recording of executive session
- iii. Only members of the governmental body or persons necessary to the matter under consideration in executive session may attend. A person whose interest is against the city may not be admitted to attend executive session
- iv. Executive session needed for items posted on consent agenda should be removed from the consent agenda and taken up separately. The remaining consent agenda should be voted on prior to any executive session.

d. Annual Meeting Calendar: The City Council shall adopt a calendar outlining their scheduled regular meetings for any calendar year no later than December 1st of the preceding year.

e. Citizen Appearances: Each person in attendance who desire to speak to Council on an item **not** posted on the agenda, shall speak during this section. Each person in attendance who desire to address the Council on an item posted on the agenda or at a public hearing shall address the council when that item is called forward for consideration.

A speaker card must be filled out and turned in according to speaker rules listed in this section. Under the Texas Open Meeting Act the city council may take action only on legally posted items on the agenda. There will be no discussion of any un-posted items, council will only receive comments, may only ask clarifying questions, and should

refrain from addressing speaker but rather refer them to city management or state policy only.

Speaker Rules

1. Each person will be allowed three (3) minutes and will not be interrupted by Council or staff.
2. Council may request the City Manager place the subject on a future Council meeting agenda or request staff meet with the person for further discussion.
3. Speaker Cards
 - a. Speaker cards will be provided at the council meetings for in-person speakers and can be handed directly to the City Secretary Office staff.

- f. **Speakers at council meetings:** Each person who desires to speak to the city council pertaining to an item listed on the agenda or advertised as a public hearing will have two options to address the city council. Each person shall address the council when that item is called forward for consideration.

Speaker Rules

1. A speaker card must be filled out and turned into the City Secretary's staff
2. Each person in attendance will be allowed three (3) minutes and will not be interrupted by Council or staff. The presiding officer may grant additional time to a speaker if requested however the presiding officer will maintain fairness for speakers on the item
3. Applicants be allowed a reasonable time and may be limited to a specific amount of time by the presiding officer (as determined by the presiding officer and the City Attorney) to offer facts of their case and answer questions, however applicant must submit to the City Secretary any hand-outs or material at least 5 days prior to the meeting. Applicants will be cognizance of time and be precise when presenting their case.

IV. COUNCIL MEETINGS: ORDER OF BUSINESS

Council meetings shall generally adhere to the following order of business:

a. Regular Session:

- i. The City Secretary shall announce a quorum and request the Mayor (presiding officer) Call the Meeting to Order by announcing date and time of the meeting.
 1. invocation
 2. pledge of allegiance – United States
- ii. Public Presentations: Proclamations, recognitions, general reports, and updates from the public or community organizations.
 1. See Exhibit “A” Proclamation Process
- iii. Community Interest Items: In accordance with the Texas Open Meetings Act, an "item of community interest" includes the following:
 1. expressions of thanks, congratulations, or condolence;
 2. information regarding holiday schedules;
 3. honorary recognitions of city officials, employees, or other citizens;
 4. reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city official or city employee; and
 5. announcements involving imminent public health and safety threats to the city.
- iv. Items to be continued or withdrawn: Any City Councilmember or the City Manager may request an item be removed from consideration and either (1) continued to a future meeting date or (2) withdrawn from consideration altogether or (3) move in the order of the agenda.
- v. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the consent agenda
 1. Items to be withdrawn from the consent agenda for separate discussion: Any Councilmember wishing to discuss and vote on a consent agenda item individually should make that request in an open meeting.
 2. Items to be added to the consent agenda: Any councilmember may request a posted agenda item that does not require a public hearing be moved to the consent agenda.

vi. Citizen Appearances:

It is the policy of the City Council of the City of Burleson to encourage open government and the opportunity for all citizens to address the Council and receive fair consideration for each item listed on the agenda. Therefore, and in the interest of time, decorum and the constraints of the Texas Open Meetings Act, there are rules that must be enforced. On items not posted on the agenda, the Council may receive comments or suggestions. The Council cannot discuss or deliberate on the unposted matter. The Council may, however, ask clarifying questions, respond with facts, explain a policy, and propose that the item be placed on a future agenda.

1. In accordance with Section 551.007 of the Texas Open Meetings Act, the public has a right to speak on items on the agenda either at the beginning of the meeting or during the meeting when an agenda item is being considered.
2. Under the Texas Open Meetings Act and Public Information Act laws of the State of Texas, the City Council may take action only on items legally posted on the agenda.
3. On items not posted on the agenda, the Council may receive comments or suggestions. The Council cannot discuss or deliberate on the unposted matter. The Council may, however, ask clarifying questions, respond with facts, explain a policy, and propose that the item be placed on a future agenda.
4. Each person will be allowed three (3) minutes to comment on any particular subject. Council and staff will not interrupt speaker's time and will ask questions or clarification after the three (3) minutes of time. If the person requires a translator, they will receive six (6) minutes to allow to address the Council.
5. Each person shall fill out a speaker card and present to the City Secretary before speaking.
6. Profanity or threatening language or behavior will not be tolerated and may result in the following:
 - i. Cancellation of remaining time;
 - ii. Removal from the Council Chambers; and/or
 - iii. A contempt citation.

- vii. Consent Action Agenda: All items listed are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items unless a Councilmember or citizen

so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

- viii. General Action Items: Items may include, but are not limited to: Public Hearings, Ordinances & Resolutions, Contracts & Agreements, Legislative Update, Budget and Tax Rate, etc. Items scheduled for public hearing or which involve outside organizations should, typically, be listed first.
- ix. Reports: An opportunity for the City Manager or his/her staff to obtain direction from Council on a future item, provide information on current items, or respond to previous Councilmember requests for information.
- x. City council request for future items or reports: An opportunity for any member of the city council to request a future council meeting item.
Executive Session (if needed): The City Council may choose to meet in Executive Session in accordance with state law. Executive Session may be held at any time when a City Council meeting is convened. Every consideration should be given to not convene into executive session prior to the consent agenda.
- xi. Adjourn: With no further business the presiding officer shall request a motion to adjourn. Vote is required.

V. BURLESON RULES OF ORDER

The rules contained in this section the policy shall govern the Burleson City Council meetings in all cases to which they are applicable and not in direct conflict with state laws.

- a. Presiding Officer: The Mayor, if present, shall be the presiding officer. In the absence of the Mayor the Mayor Pro Tem shall be the presiding officer. In the absence of both the Councilmember with the most senior tenure should preside.
 - i. Should by statement identify quorum present call the meeting to order according to posted agenda and clearly state date and time.
 - ii. Should establish the order of the meeting by following the posted agenda and may call items out of order for purpose of functionality.
 - iii. Shall not make initial motions on items before the Council, however may second a motion.

b. Motion:

- i. Motion dies from lack of second
- ii. No amendments to original motion, except by the member making the motion
- iii. Each item posted on the agenda should be voted on individually

c. Point of Order:

- i. Any Councilmember may request to identify procedural defect
- ii. Any Councilmember may make call a filibuster point of order
 - 1. Presiding officer request Councilmember speaking to yield the floor
 - 2. Presiding officer present to the other members of Council an opportunity to speak
 - 3. If no other member wishes to speak the officer can return the floor to the original member speaking

d. Point of Information:

- i. Any Councilmember may request additional information for other members to consider
- ii. There is no debate

e. Call the Question: Only when a motion is on the table for consideration

- i. Any Councilmember may call the question
- ii. Requires a second but no vote
- iii. Ends debate or discussion and requires immediate vote on item

f. Public Hearing:

- i. Each person will be allowed three (3) minutes to speak. Council and staff will not interrupt speaker's time and will ask questions or clarification after the three (3) minutes of time. Council may recall speaker if needed. If the person requires a translator, they will receive six (6) minutes to address the Council.
- ii. Applicants will be allowed a reasonable time and may be limited to a specific amount of time by the presiding officer (as determined by the presiding officer and the City Attorney) to offer facts of their case and answer questions, however applicant must submit to the

City Secretary any hand-outs or materials at least 5 days prior to the meeting. Applicants will be cognizant of time and be precise when presenting their case.

g. Table:

- i. Items will be tabled to a specific date and the request made by applicant, council, or staff
- ii. If no date is stated when item is tabled, the item after 180 days will be placed on the next regular agenda and considered

h. Adjourn:

- i. Adjournment of the meeting requires a motion and a second and a vote
- ii. Presiding officer will announce date and time of adjournment

i. Executive Session:

Can be taken at any time during the meeting with proper notice to the public – presiding officer (or city secretary) shall announce the exceptions and time. Every consideration should be given to not convene into executive session prior to the consent agenda.

- i. Any member of the Council present may request to convene into executive session
- ii. City Manager, Deputy City Manager, City Secretary, Deputy City Secretary, City Attorney or Deputy City Attorney may request Council convene into executive session
- iii. The presiding officer shall clearly state the time the city council convenes into executive and clearly state the time the city council returns to open session.

VI. MAYOR/MAYOR PRO-TEM

a. Mayor:

- i. Per Sec. 22 of the Charter of the City of Burleson, the Mayor presides at meetings of the City Council and, except in cases involving conflict of interests, must vote upon all items voted on by the City Council.

b. Mayor Pro-Tem:

- i. The City Council shall elect in accordance with Sec. 22 of the Charter from among its members, a Mayor Pro Tem, who shall act as Mayor during the absence or disability of the Mayor, and, if a vacancy occurs in the Mayor's place, shall become Mayor until the next general election. (City Charter, Section 22(b))
- ii. Qualifications: Any Councilmember who has served at least 2 years on the City Council shall be qualified to serve as Mayor Pro Tem.
- iii. Nomination process: Councilmembers interested in serving as Mayor Pro Tem shall, at least five business days prior to the meeting, submit to the City Secretary written notification of their interest of serving. The City Secretary shall present to Council, in executive session, all the names of the interested, qualified, Councilmembers. *(no discussion or vote will take place, this is informational only)*
- iv. Election: Each year at a regular meeting by August 31st, an agenda item for Election of Mayor Pro-Tem shall be placed on the Regular Session agenda. All action for election of the Mayor Pro-Tem shall occur during open session.

VII. AUDIO/VIDEO USE

- a. Recording of Council meetings on video equipment larger than a cell phone or tablet shall be located at the rear of the chambers so as not to interfere with the sight lines of the seated audience.

Exhibit A

City of Burleson

Proclamation and Certificate of Recognition Policy

I. STATEMENT OF PURPOSE

The City of Burleson recognizes and honors individuals, organizations, programs, and events that contribute to the community through the issuance of proclamations and certificates of recognition. This policy outlines the City's process for requesting, reviewing, and issuing proclamations and certificates of recognition.

II. PROCLAMATION GUIDELINES

Proclamations are ceremonial in nature and are issued on behalf of the Mayor and City Council.

A. Requests will be considered for the following purposes:

- A current or former resident of the City of Burleson who has made a positive impact in the community;
- City-based organizations that contribute through special events, significant issues, or increase awareness through programs rooted in the City;
- Special events or days that promote the City of Burleson or are historically significant to the community;
- Traditionally recognized "Day", "Week" or "Month" requests for organizations or departments that contribute to the City;
- Requests initiated by current or former City employees

B. Requests **WILL NOT** be considered for the following purposes:

- Birthdays, wedding anniversaries, or business anniversaries;
- Family or class reunions'
- Retirements of individuals who are not current or former City of Burleson employees;
- Groundbreaking, openings, endorsement or advertisements for individuals or for-profit businesses;
- Requests received for national or international organizations without an in-City sponsor;
- Campaigns or matters that do not align with the City of Burleson's vision, mission, or guiding principles.

III. REQUESTING A PROCLAMATION

A. Submission Requirements:

All requests must be submitted through the City of Burleson forms portal on the City website and must meet the following requirements:

- Requests must be received at least 30 days prior to the requested date;
- The request must include:
 - The proposed title or event to be proclaimed;

- The event date(s) to be proclaimed;
- A minimum of four facts to support the proclamation;
- The requestor's name, telephone number, or email;
- The preferred method of distribution or date of presentation.

B. Distribution:

Approved proclamations may be distributed in one of the following ways:

- Presented at a City Council meeting;
- Presented at a community event;
- Picked up from the City Secretary's Office (CSO);
- Mailed to the requestor (mailing address required).

IV. CERTIFICATE OF RECOGNATION GUIDELINES

In place of a proclamation, the Mayor and City Council may issue a Certificate of Recognition to acknowledge:

- Significant birthdays, anniversaries, celebrations, events, accomplishments, or achievements;
- Contributions to the community or organizations;
- Requests initiated by City of Burleson residents, organizations, or staff.

V. REQUESTING A CERTIFICATE OF RECOGNATION

A. Submission Requirements:

All requests must be submitted through the City of Burleson forms portal on the City website and must meet the following requirements:

- Requests must be received at least 30 days prior to the requested date;
- The request must include:
 - The proposed title or event to be recognized;
 - The event date(s) to be recognized;
 - The requestor's name, telephone number, or email;
 - The preferred method of distribution.

B. Distribution:

Approved certificate of recognitions may be distributed in one of the following ways:

- Picked up from the City Secretary's Office (CSO);
- Mailed to the requestor (mailing address required).

VI. STAFF REVIEW AND ISSUANCE

- Requests will reviewed on a case-by-case basis;
- Submitted language may be edited or revised at the discretion of the City staff;
- Staff may coordinate presentations outside of City Council meetings when appropriate;
- The City reserves the right to deny any request for proclamations or certificates that do not align with the City's vision and mission.

City Council Regular Meeting

DEPARTMENT: City Secretary's Office
FROM: Monica Solko, Deputy City Secretary
MEETING: October 5, 2026

SUBJECT:

Consider and take possible action to cast the City of Burleson's vote for Texas Municipal League Region 8 Director. (*Staff Contact: Monica Solko, Deputy City Secretary*)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 High Performing City Organization Providing Exceptional, People Focused Services	1.2 Continue to improve the efficiency and productivity of operations 1.3 Deliver high-quality service and communications to external and internal customers

SUMMARY:

The City of Burleson is a member of Texas Municipal League (TML). TML is a membership of over 1,100 cities working together to represent the interest of cities in legislative, administrative, and judicial matters that effect local government both at the state and federal levels.

TML has an Executive Board, Directors-at-Large, Regional Directors, Affiliate Directors, Ex-Officio members, Executive Director and staff members all working together to run TML. The Regional Directors are elected from each region by its member cities. Cities, previously the election of Regional Director was held at Regional meetings, however after TML Consultation changes approved in 2023 the election is administered by TML centrally.

TML has 15 regions, and each has a seat on the board. During even-numbered years the even-numbered regions are up for election. The City of Burleson is in Region 8 with our election of our Regional Director held this year. The Regional Directors serves a two-year term that begin at the adjournment of the TML Annual Conference. The official ballot was received and requires the city council to make a formal vote for their candidate of choice for Region 8 Director. The ballot is due in the TML offices by November 5, 2026.

The candidates are listed in the packet as Exhibit 2.

RECOMMENDATION:

Review the official ballot and list of candidates to determine the City of Burleson vote.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

N/A

REFERENCE:

N/A

FISCAL IMPACT:

N/A

STAFF CONTACT:

Monica Solko
Deputy City Secretary
msolko@burlesontx.com
817-426-9682



Texas Municipal League Region 8 Director Election

OCTOBER 5, 2026

2026 BOARD ELECTIONS

TML Region Director Elections

Region Director elections were previously done at TML Regional meeting

Constitutional changes approved last year changed the process to be done centrally by TML

Even-numbered Region Directors are elected in even-numbered years and serve 2 years

Terms begin at the adjournment of the TML Annual Conference

City of Burleson is in Region 8

The official ballot is due to TML by November 5, 2026



Candidates

- ❑ Mike Browning, Councilmember, Aubrey
- ❑ Mary Sarver, Mayor Pro Tem, Grandview (incumbent)



Mike Browning, Councilmember City of Aubrey

Mike Browning serves on the Aubrey City Council, where he is passionate about responsible growth, transportation planning, economic development, and regional collaboration. With more than 25 years of executive leadership experience in manufacturing, technology, and entrepreneurship, he brings a practical, results-driven perspective to public service. Aubrey is experiencing firsthand the transformation occurring across North Texas. Rapid population growth brings tremendous opportunity but also difficult decisions about infrastructure, transportation, public safety, economic development, housing, and the cost of providing services. Browning believes communities can embrace growth while protecting their character, strengthening their financial position, and planning proactively for the future. He is actively involved in transportation initiatives affecting North Texas, including improvements along US Highway 377 and key farm-to-market corridors, as well as long-range planning for the future East-West Outer Loop. He also participates in regional transportation initiatives and is pursuing his certified municipal official designation through the Texas Municipal League (TML). As founder and CEO of Symbios Additive LLC, he understands firsthand how infrastructure, transportation, workforce development, and a strong business environment influence economic growth and investment. Browning's municipal priorities include practical solutions, regional cooperation, responsible growth, and the preservation of local decision-making. His experience in Aubrey, one of North Texas' rapidly growing communities, has provided him with perspective on the opportunities and challenges associated with municipal growth. Through service with TML Region 8, he seeks to collaborate with municipal leaders, share ideas, address common challenges, and contribute to discussions affecting communities throughout the region.

Mary Sarver, Mayor Pro Tem City of Grandview (incumbent)

Mary Sarver serves as the Mayor Pro Tem for the City of Grandview, where she has served on the City Council since June 2022. She is actively involved in municipal leadership at the local, regional, state, and national levels, with a strong focus on economic development, collaboration, and advocacy for cities. Since her election, Sarver has actively engaged in a wide array of trainings and conferences hosted by the Texas Municipal League (TML), demonstrating a strong commitment to her professional development and the advancement of municipal governance. Her participation in these events underscores her dedication to staying informed about best practices, emerging trends, and legislative changes affecting local governments. In addition to her personal involvement, Sarver takes a proactive approach in promoting the benefits of TML to her colleagues and elected officials in neighboring cities. She encourages her peers to leverage the extensive resources and networking opportunities provided by TML, recognizing the value these resources bring to effective municipal management and collaboration. Her efforts not only enhance her own capabilities but also foster a broader culture of informed and collaborative leadership across the region. Her TML leadership includes serving as Region 8 vice president in 2025, Region 8 president in 2026, a member of the TML Board of Directors in 2026, and a member of the 2026 TML Policy Summit Committee. At the national level, Sarver is actively involved with the National League of Cities (NLC). She served as vice chair of the Small Cities Council from 2024–2025 and as chair from 2025–2026. She has served in NLC’s Community and Economic Development federal advocacy work since 2023, served on the Nominating Committee in 2024, and serves on the NLC Board of Directors for the 2025–2027 term. Sarver’s commitment to economic development also includes service with the City of Grandview’s Type A Economic Development organization since 2022 and as an Economic Development District Board member with the North Central Texas Council of Governments from 2024–2026. Sarver recognizes TML’s role in providing education and resources to local elected officials throughout Texas. Her service has emphasized the importance of education, training, and mentorship in helping municipal officials effectively advocate for and serve their communities. She has valued the opportunity to serve in this capacity and contribute to the work of TML.

The logo consists of the letters 'BTX' in a bold, black, distressed font, set within a white circle. Below the 'T' is a horizontal line with a small 'TM' trademark symbol at its right end.

BTXTM

Cast Vote

City Council Regular Meeting

DEPARTMENT: City Manager's Office
FROM: Janalea Hembree, Assistant to the City Manager
MEETING: October 5, 2026

SUBJECT:

Receive a report, hold a discussion, and provide staff direction regarding our federal legislative efforts. (*Presenter: Mike Lane, Kiley & Associates*) (*Staff Contact: Janalea Hembree, Director of Strategy and Innovation*)

SUMMARY:

The City of Burleson has a federal legislative consultant, Kiley & Associates, to help bring the city's position on specific issues to legislatures. Kiley & Associates will provide an update on federal legislation, potential funding opportunities, and ongoing advocacy.

RECOMMENDATION:

N/A

PRIOR ACTION/INPUT (Council, Boards, Citizens):

Contract Service Agreement No. 2098-001 effective July 1, 2025 – June 30, 2026.

Contract Service Agreement No 2098-004 effective July 1, 2026 – June 30, 2027.

REFERENCE:

N/A

STAFF CONTACT:

Janalea Hembree
Director of Strategy and Innovation
jhembree@burlesontx.com
817.426.9299



Federal Legislative Update

PRESENTED TO THE CITY COUNCIL – OCTOBER 5, 2026

What We Delivered in 2026

Two Federal milestones: a funded earmark and a City-specific Army Corps water authorization

COMMUNITY PROJECT FUNDING | FY2027

\$334,927

Bullet-Resistant Components for PD Vehicles

- **Sponsor:** Rep. Roger Williams (TX-25), chosen from a limited slate
- **Bill:** Commerce, Justice, Science; DOJ law enforcement account

EXPECTED TIMELINE TO FUNDS

- **Oct 1, 2026** FY2027 begins; stopgap funding holds new earmarks
- **Dec 2026 to Mar 2027** Full-year funding bill enacted; award becomes final
- **Spring 2027** DOJ opens the application; City submits
- **Summer to Fall 2027** Grant agreement signed; funds available to the City

WRDA 2026 | SECTION 219 AUTHORIZATION

Passed the House

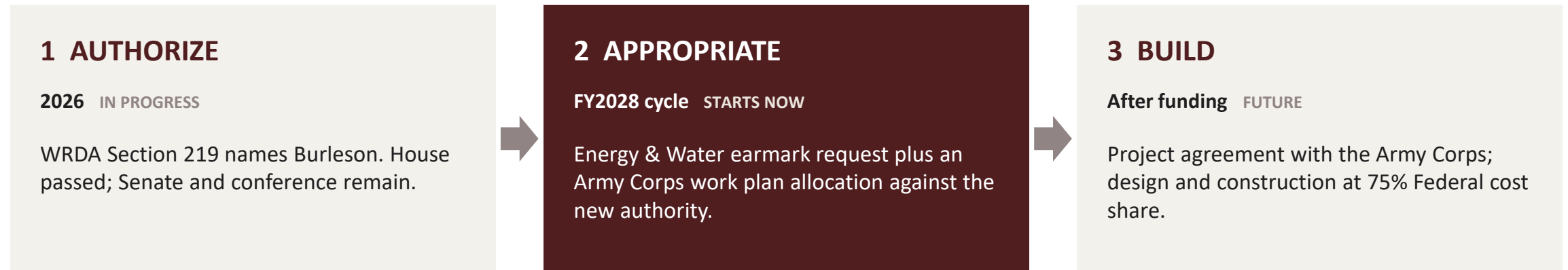
City of Burleson named in Section 219(f), H.R. 9497

- **Progress:** Cleared committee 66-0 (July 14); passed the full House September 16
- **What it does:** Standing Federal authority for Army Corps design and construction help on water and wastewater; 75% Federal / 25% local
- **What it is not:** Cash. Dollars still require appropriations
- **Next:** Senate passage and House-Senate conference; target enactment by end of 2026

Groundwork behind it: Recurring meetings with Rep. Williams' office | Sen. Cornyn and Sen. Cruz offices | Army Corps of Engineers

Why the Next Cycle Matters

An authorization is a license to compete for money. FY2028 is when we turn it into dollars.



What FY2027 taught us

Our FY2027 water requests competed in the crowded EPA water pool and were not carried. With Section 219, Burleson's water and wastewater projects can compete in the **Army Corps (Energy & Water) account** instead: a different pool, a different subcommittee, and a Federal partner already at the table.

The delegation is changing

Sen. Cornyn leaves office in January 2027. We use his remaining months to protect Burleson's line in the WRDA conference. FY2028 Senate requests go to Sen. Cruz and the incoming Senator, and we confirm House district lines after the November election.

FY2028 Request Categories

Where Burleson's needs meet Federal funding. The City sets the priorities; we match the vehicle and build the case.

Category	What Qualifies	Federal Vehicles	Why It Fits Now
Water Supply & Wastewater	Supply, storage, treatment, transmission, and sewer capacity for growth	Army Corps Section 219 (Energy & Water earmark and Corps work plan); EPA earmark; Texas Water Development Board SRF; EPA WIFIA	<i>New Section 219 authority opens the Army Corps account</i>
Transportation Safety & Flood Resilience	Road capacity, rail crossings, low-water crossings, drainage	Transportation-HUD earmark; USDOT Railroad Crossing Elimination and RAISE grants; HSIP through TxDOT	<i>Strong safety case</i>
Public Safety & Emergency Response	Fire/EMS apparatus and equipment, police equipment, emergency operations	Justice or Homeland Security earmark; FEMA Assistance to Firefighters; FEMA SAFER	<i>Our FY2027 win came from this category</i>
Parks & Community Facilities	Parks, trails, and public facilities serving a growing population	Interior earmark; Land and Water Conservation Fund (through Texas Parks & Wildlife)	<i>Legacy Park phasing creates near-term candidates</i>

How projects within each category will be ranked

1. Council priority 2. Federal eligibility and nexus 3. Readiness: design and cost estimate 4. Local match available 5. Fit with the sponsoring Member

Next Steps: The Road to FY2028

The FY2028 earmark window opens early next year. Requests are won in the months before it.

NOW: FALL 2026



- Secure Burleson's Section 219 line in the final WRDA bill
- Track FY2027 funding for the PD award (stopgap funding likely Oct 1)
- Meet the Army Corps Fort Worth District on next steps under Section 219

BY DECEMBER 2026



- Staff identifies candidate projects in each category
- Joint scoring against the ranking criteria
- Council sets FY2028 priorities

JAN TO FEB 2027



- Project sheets finalized: cost, readiness, local match
- Meet the new and returning delegation
- City leadership visit to Washington

FEB TO APR 2027



- Submit FY2028 requests to House and Senate offices
- File grant applications as notices open

SUMMER 2027



- Committee markups and FY2028 results
- Continue Army Corps funding push under Section 219

What we need from the City

1. Candidate projects in each category from staff by November
2. Council priorities by December
3. Cost estimates and readiness documents for top projects
4. Leadership availability for a Washington visit early in 2027

City Council Regular Meeting

DEPARTMENT: Parks and Recreation
FROM: Dr. Jessie Farris, Urban Forester
MEETING: October 5, 2026

SUBJECT:

Receive a report, hold a discussion, and provide staff direction regarding updates from the Forestry Division. (*Staff Contact: Dr. Jessie Farris, Urban Forester*)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Great Place to Live Through Expanded Quality of Life Amenities	4.1 Provide high-quality parks 4.2 Provide high-quality recreation opportunities, events and facilities for residents 4.3 Provide outstanding cultural, educational and entertainment opportunities

SUMMARY:

Staff will present an update on the City's Forestry Division and highlight key initiatives and accomplishments since the program was established in 2026. The presentation will provide an overview of urban forest management efforts, including tree inventory and assessment, grant-funded planting projects, pest and disease monitoring, community education and engagement, and long-term urban forestry planning.

RECOMMENDATION:

N/A

PRIOR ACTION/INPUT (Council, Boards, Citizens):

Received an initial report of Forestry updates from March 2, 2026 council meeting.

REFERENCE:

N/A

FISCAL IMPACT:

N/A

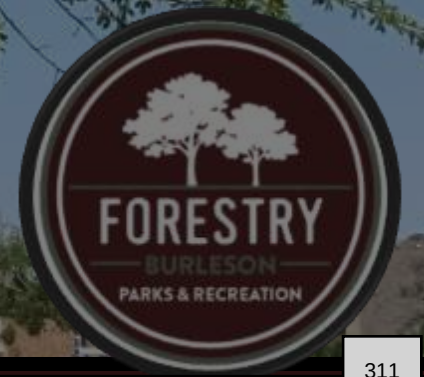
STAFF CONTACT:

Name: Dr. Jessie Farris
Title: Urban Forester
sfarris@burlesontx.com
817-426-9863

Urban Forestry Division Update

PRESENTED TO CITY COUNCIL – OCTOBER 5, 2026

DR. JESSIE FARRIS, URBAN FORESTER



Nine Months at a Glance

- Major goals:
 - Protecting and expanding the City's tree canopy
 - Connecting forestry, education, sustainability and community
- \$30,000 in grant funding awarded
- 98 grant-funded trees planted
 - 105 total trees planted for 2026
- 100+ Arbor Day Volunteers
- 800+ students engaged through 5 school career days
- 75 trees given away to residents at Earth Day and Arbor Day events
- 5 trainings provided to Parks Maintenance team



Building a Foundation

- The first priority was creating consistent standards, workflows, and accountability around tree care.
- Developed comprehensive Forestry SOPs
- Established standardized inspection and documentation procedures
- Expanded forestry involvement in Capital projects, development reviews and Code Compliance
- Improved coordination between Forestry, Parks, and Irrigation teams
- Asset Documentation (Reports)
- Long-Term Planning
- Result: Forestry is becoming a defined City service – not a series of isolated tree issues.

Field Operations

- Routine inspections are critical to catching tree health, installation, irrigation and construction problems earlier.
- All 24 parks are on biweekly inspection schedule
- Conducted routine pre- and post-construction inspections for capital projects
- Identified and corrected planting depth, girdling roots, irrigation and mulch issues
- Evaluated hazardous, declining and damaged trees
- Improved contractor communication and tree installation standards
- Established ongoing monitoring for newly planted trees

Emerald Ash Borer Preparedness

- Established Burleson's first proactive EAB monitoring program
- Installed 8 traps at 4 parks locations
- Confirmed EAB presence at Warren Park, Cindy Park, and the Burleson Recreation Center
- All ash trees on city property have been inventoried into GIS
- All trees have been individually assessed with recommendations for treatment or removal
- Building a proactive strategy before widespread impacts occur



Tree Inventory Phase 1

- Launched Phase 1 of the City's park tree inventory
- Completed Parks:
 - Warren, Cedar Ridge, Cindy, Clark, Claudia's Playground, Elk Ridge, Heberle, Mistletoe Hill, Robert Joseph, Wakefield Heights
 - In Progress: Bailey Lake, Bartlett, Bark Park, Chisenhall Fields, Meadowcrest, Oak Valley North, Prairie Timbers, The Plaza, Veteran's Memorial Plaza
- Recording species, condition, caliper size and height
- Logging inspections, tree health assessments, and maintenance needs
- Developing a long-term asset management system
- Phase 2 will include the public-facing "Our Urban Forest" resource where residents can view inventoried trees
- Phase 2 will also move from parks to city facilities



No Mow Areas

- Established 6 no-mow locations
- Approximately 5.42 acres
- Supporting pollinators and wildlife habitat
- Reducing irrigation demand
- Supporting stormwater infiltration
- Conducted plant and insect species diversity assessments



Metric	Total
Total Area	236,347 sq. ft.
Total Acres	5.42 acres
Annual Rainfall Capture	~5.39 million gallons/year
Irrigation Water Savings	~2.06–3.82 million gallons/year
Annual Operational Savings	~\$55,800 year

Planting Projects

- Installed new pollinator gardens at the Senior Center and the BRiCk
- Added a mix of native and pollinator-friendly plants to support bees, butterflies and other wildlife
- Added plant identification tags to improve public education
- Received 6 Go N Grow pollinator boxes and reimbursed approximately \$675 for the plant materials through Tarrant Regional Water District
- Will receive 6 more boxes for free from TRWD for Russell Farm grant project
- Expanding small-scale habitat projects across City facilities



Arbor Day + Trees For Tomorrow

- Hosted Burleson's largest Arbor Day tree planting
- 25 trees planted
- More than 100 community volunteers
- 40 students participated
- Expanded the Junior Arborist Trees For Tomorrow program to the Academy of Nola Dunn, Centennial and Burleson High School
- Combined tree planting with hands-on environmental education
- Program Satisfaction Survey sent to high school students for feedback



Team Trainings

- Proper tree planting
- Native plant identification with applied field session
- Common pests and diseases
- Proper mulching and root-flare identification
- Increased staff capacity to recognize tree problems earlier



Departmental Collaborations

- Capital Projects – reviewing landscape plans, attending pre- and post-construction meetings, providing forestry input on tree protection, installation, and long-term maintenance.
- Code Compliance – assisting with tree health and hazardous tree assessments
- Recreation – partnering with rec staff on summer camp and youth environmental education, and incorporating trees, native plants, pollinators, and urban wildlife into programming
- GIS/ Information Technology – collaboration on development of the GIS tree inventory with improved mapping, asset tracking and long-term forestry data management
- Strengthening coordination across departments so trees are considered earlier in planning, construction and maintenance decisions

Community Engagement

- Launched Leaf it to Dr. Farris tree series for Arbor Day
- Tree Value Tags
- Assisted with Pups in Parks
- Launched The Trees That Grow educational outreach
- Created Field Note Fridays
- Oak Valley Certified Wildlife Habitat
- Bat Box project with Cub Scouts



Burleson Nature Discovery

- Welcomed 200+ residents for a community nature and environmental education event
- Partnered with Keep Burleson Beautiful and local Texas Master Naturalists
- Offered hands-on pollinator and wildlife education activities
- Led an interactive tree and nature hike
- Incorporated a butterfly release at the pocket prairie to connect families with local pollinator conservation
- Distributed free school supplies to local students and families
- Created a fun and accessible way to connect residents with Burleson's parks and natural resources



Trash Bash

- Hosted Trash Bash community cleanup event with Keep Burleson Beautiful – September 12, 2026
- Engaged over 200+ volunteers combined across both events
- Estimated 3000 lbs of litter removed
- Connected environmental stewardship with hands-on community action
- Increased awareness of litter prevention and the importance of protecting our parks and natural areas



Grant Awards – \$30,000

- Texas A&M Forest Service Tree Planting Grant – \$20,000
- Tarrant Regional Water District, Save Tarrant Water, Conservation Treasures Grant – \$5,000
- H.E.B. Texan By Nature, Trees For Texans Grant – \$5,000
- Continuing to pursue external funding and complete grant projects



Texas A&M Forest Grant 2025-26

- 98 new trees planted
- Distributed across multiple parks and city facilities
- Increased species diversity through native shade trees
 - Live oak, red oak, bur oak, chinquapin oak, redbud, and cedar elms
- Expanded canopy where long-term shade was needed
- Established post-planting inspection and care monitoring
- 96% survival rate (only 4 dead trees, species and site specific conditions that have been identified and corrected)



Texas A&M Forest Grant 2026-27

- Proposing approximately 90 trees at multiple park sites
 - Warren Park, Willow Creek, Heberle, etc.
- Targeting areas with low canopy, limited shade, and high heat exposure
- Replacing canopy lost through tree removals, storm damage and future EAB impacts
- Expanding beyond large shade trees with a focus on native understory trees
- Proposed small species include Texas mountain laurel, Eve's Necklace, Possumhaw Holly, Roughleaf Dogwood, Rusty Blackhaw Viburnum, Mexican Plum
- Larger native canopy species (Bald Cypress, Mexican Sycamore, American Elm, etc.) will supplement plantings where site conditions allow
- Increasing species and age diversity to build a more resilient urban forest
- Supporting pollinators, wildlife habitat, stormwater interception and soil stabilization

Russell Farm Habitat Enhancement Grant

- Native tree planting leading to the tree trail – “Charlie’s Wildscape”
- Pollinator habitat enhancements
- Bird blind habitat improvements
- Rainwater conservation elements (Added two rain barrels – Donated by TRWD)
- Interpretative signage and plant identification tags
- Designed as a community “living laboratory”



Centennial Park Remediation

- Conducted comprehensive tree health and site assessments
- All trees inventoried in GIS
- Identified soil, compaction, irrigation and disease concerns
- Completed four fertilization and fungicide treatments
- Completed turf aeration and root-zone improvements
- Will be obtaining updated soil tests to plan for future tree and shrub planting



H.E.B Centennial Park Grant

- Pending soil results – HEB grant will be used to replace lost trees around the time capsule OR for sidewalk shade in the right-of-way.
- For ROW planting, only small trees will be selected for this option due to overhead utility and planting width constraints
- Community planting scheduled for Friday, February 12, 2027
 - February 19th as a back-up date in case of severe weather
 - Trees must be planted by March 1st per grant agreement

Leadership

- Received the Environmental Impact Award from DFW Environmental Pros on May 23, 2026
- Received scholarship funding to attend the 2026 ISA Texas Tree Conference
- Selected to speak at multiple upcoming conferences – Texas Master Naturalist Annual Conference and Southwest Parks and Recreation Training Institute
- Accepted into the Texas A&M Forest Service Leadership Institute
- Gold Leaf Landscape Improvement Award from Texas A&M Forest Service



What's Next

- Texas Arbor Day – Friday, November 6, 2026 at Russell Farm
- Tree Hike and Moth Night at Family Camp Out – Saturday, November 7, 2026 at Russell Farm
- Expanding No Mow areas across parks
- Continuing citywide tree inventory and launch Phase 2
- Continue implementing grant-funded projects
- Continue EAB preparedness and monitoring
- Leading plant and tree hikes at Russell Farm
- Arbor Day 2027 at Russell Farm for 150th Celebration
- Bioblitz at Russell Farm in spring
- Building toward a comprehensive Urban Forest Management Plan

Questions / Comments

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Parks and Recreation
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817.426.9863