

City of Richardson City Plan Commission Agenda Packet Tuesday, May 5, 2026

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AGENDA
CITY OF RICHARDSON – CITY PLAN COMMISSION
TUESDAY, MAY 5, 2026, AT 6:00 P.M.
RICHARDSON CITY HALL
2360 CAMPBELL CREEK BOULEVARD, SUITE 525
RICHARDSON, TX 75082

Closed Executive Session Authorized

As authorized by Section 551.071 (2) of the Texas Government Code, this meeting may be convened into closed Executive Session to seek confidential legal advice from the City Attorney on any listed agenda item.

Meeting Information

- Public hearing information: <https://www.cor.net/PublicHearing>
 - Public Comment Cards for comments or public hearings can be found at www.cor.net/PublicCommentForm and submitted online by 5:00 p.m. on the date of the meeting or in person before the meeting begins to be included in the public record.
 - City Plan Commission meetings are available for viewing via live-stream online and on-demand at <https://www.cor.net/city>.
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The City Plan Commission meeting will be held in the Multipurpose Room #CH 157, of the Richardson City Hall located at 2360 Campbell Creek Boulevard, Richardson, TX 75082.

REGULAR BUSINESS MEETING 6:00 P.M. – MULTIPURPOSE ROOM #CH 157

PUBLIC COMMENTS ON AGENDA ITEMS

The public comment portion of the City Plan Commission meeting is scheduled at the beginning of the meeting to allow the public to address the City Plan Commission regarding an item listed on the agenda that is not a public hearing.

MINUTES

1. **Approval of the minutes of the regular business meeting of April 21, 2026.**

PUBLIC HEARING

2. **Zoning File 26-06 – Back Nine Golf:** Consider and act on a request for a Special Permit for a Commercial Amusement Center (Indoor Golf Simulator) in an existing approximately 3,000-square-foot lease space at 1920 N. Coit Road, Suite 220, on the east side of Coit Road, south of Campbell Road, and currently zoned LR-M(2) Local Retail. *Owner: Pavillion East, Ltd. Staff: Christine Ross. (Requesting continuation to the May 19, 2026, meeting)*
3. **Zoning File 26-09 – CZO Text Amendments – Definition of “Family” and Property Owner Protests for Special Permits and Zoning Changes:** Consider and act on City-initiated amendments to Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson’s Code of Ordinances: Article 1, Sec. 2 (Definitions, Family), Article XXII-A, Sec. 4 (Special Permits, Property owner protest), and Article XXIX, Sec. 6 (Changes and Amendments, Property owner protest). *Staff: Andrew Bogda.*

INDIVIDUAL CONSIDERATION

4. **Staff report on pending development, zoning permits, and planning matters.**

WORK SESSION DISCUSSION

- 5. Present and discuss potential updates to the Comprehensive Zoning Ordinance related to home occupation and no-impact home-based business uses.**

ADJOURN

I HEREBY CERTIFY THAT THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT RICHARDSON CITY HALL ON OR BEFORE 5:30 P.M., WEDNESDAY, APRIL 29, 2026.

ANNA JO CASTANEDA, EXECUTIVE SECRETARY
DEVELOPMENT SERVICES

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING THE ADA COORDINATOR, LOCATED AT 2360 CAMPBELL CREEK BLVD., SUITE 550, RICHARDSON, TX 75082. VIA PHONE AT (972) 744-4168 OR VIA EMAIL AT ADACoordinator@cor.gov.

PURSUANT TO SECTION 46.03. PENAL CODE (PLACES WEAPONS PROHIBITED). A PERSON MAY NOT CARRY A FIREARM OR OTHER WEAPON ON THIS PROPERTY. *

FOR THE PURPOSE OF THIS NOTICE "PROPERTY" SHALL MEAN THE RICHARDSON ROOM AND OR COUNCIL CHAMBERS OF ANY OTHER ROOM WHERE A MEETING SUBJECT TO AN OPEN MEETING UNDER GOVERNMENT CODE CHAPTER 551 OF THE RICHARDSON CITY PLAN COMMISSION IS HELD.

Agenda Item 1

Approval of the minutes of the regular business meeting of April 21, 2026

**CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – APRIL 21, 2026**

The Richardson City Plan Commission met on April 21, 2026, at 6:00 p.m. in the Multipurpose Room #CH157 of the Richardson City Hall, 2360 Campbell Creek Boulevard, Suite 525, Richardson, TX.

MEMBERS PRESENT: Bryan Marsh, Chairperson
Jeremy Thomason, Vice Chairperson
Michael Keller, Commissioner
Nate Roberts, Commissioner
Kristen Schascheck, Commissioner
Joe Quirk, Commissioner
Rebecca Poynter, Commissioner (Alternate)

MEMBERS ABSENT: Gary Beach, Commissioner
Byron Purdy, Commissioner (Alternate)

CITY STAFF PRESENT: Tina Firgens, Director of Development Services
Andrew Bogda, Asst. Director of Dev. Services – Planning
Derica Peters, Senior Planner
Anna Jo Castaneda, Executive Secretary

CALL TO ORDER

Chairperson Marsh called the regular business meeting to order at 6:00 p.m.

PUBLIC COMMENTS ON AGENDA ITEMS

There were no public comments.

REGULAR BUSINESS MEETING

1. Approval of the Minutes of the regular business meeting of April 7, 2026.

Motion: Commissioner Roberts made a motion to approve the minutes as presented. Commissioner Schascheck seconded the motion. Motion passed 7-0.

PUBLIC HEARINGS

2. Zoning File 26-02 – Greenwood Park: Consider and act on a request to rezone approximately 4.7 acres located on the west side of West Shore Drive, south of Wisteria Way, north of Arapaho Road, from LR-M(2) Local Retail to PD Planned Development with a base zoning district of R-1100-M Residential District with amended development standards to accommodate the development of up to 40 single-family residential lots. Owner: DJC Realco Richardson LLC. Staff: Derica Peters.

Derica Peters, Senior Planner, presented the Commission with the details of the proposed request and stated that staff received four (4) written statements in support of the request and one (1) neutral to the request.

There was discussion between the Commission and staff related to the following:

- Driveway, alley, and street widths;
- Vehicle maneuverability into garages;
- Sidewalk design and maintenance;
- Visitor parking;
- Garage placement and setbacks;
- Perimeter screening and landscaping;
- Homeowner's Association responsibilities and timeline; and
- Construction activity during and after development.

Chairperson Marsh opened the public hearing and asked the applicant to come forward.

Ben Caldwell, Caldwell Residential, 1436 Cheyenne Drive, Richardson presented his request with exhibits of conceptual renderings illustrating the proposed building form and placement.

There was discussion between the Commission and the applicant related to the following:

- Garage placement and setbacks;
- Vehicle maneuverability into garages;
- Vehicle maneuverability through the development;
- Perimeter screening and landscaping;
- Expected house sizes;
- Building materials, architectural styles, and conceptual renderings;
- Whether the development is considered missing middle housing;
- Ownership status of the property;
- Public outreach conducted by the applicant in advance of the public hearing; and
- Potential builder partners.

With no further questions, Chairperson Marsh asked for any public comments in favor or opposition.

The following persons provided comments neutral to the request:

1. Martin Dunstone, 820 Wisteria Way, Richardson
2. Bonnie Gordan, 805 Wisteria Way, Richardson

Comments received included the following:

- Potential for increased traffic on their streets;
- Concern about construction traffic;
- Concern about whether the new streets can accommodate emergency vehicles; and
- Concerns that two-story houses may affect privacy for adjacent single-story houses.

In response to the public comments, Mr. Caldwell confirmed that construction traffic would remain within the development rather than in the adjacent neighborhood. He also noted that the adjacent neighborhood also has the right to construct two-story homes up to 40 feet in height.

Chairperson Marsh made a motion to close the public hearing. Commissioner Schascheck seconded the motion. The motion passed 7-0.

Commissioners commented that the main challenges with this development will include construction management, congestion, and parking, but that the development will include open space and provide enhanced character. Commissioners also appreciated the public outreach and acknowledged that, while dense, the development provides new single-family residential housing and a mix of product types; the project would also provide an increase in taxable value to the city.

Commissioner Poynter stated that she was uncomfortable with the level of transparency in the public outreach, noting the architectural renderings were only conceptual and could be misleading in setting expectations for building materials and design.

Motion: Commissioner Schascheck made a motion to recommend approval of the request with staff's recommended conditions. Chairperson Marsh seconded the motion. The motion passed 6-1 (Commissioner Poynter opposed).

INDIVIDUAL CONSIDERATION

3. Staff report on pending development, zoning permits, and planning matters.

Andrew Bogda, Assistant Director of Development Services – Planning updated the Commission regarding cases that City Council took action on that were previously considered by the Commission, as well as briefed the Commission on upcoming cases scheduled for future meeting dates.

No action was taken.

WORK SESSION DISCUSSION

4. Present and discuss potential updates to the Comprehensive Zoning Ordinance related to zoning protest criteria and the definition of “Family”.

Andrew Bogda advised the Commission that following the conclusion of the State of Texas' 89th Legislative Regular Session, staff identified several procedural and regulatory changes that are necessary to ensure compliance with the newly adopted state statutes. While several procedural items have already been addressed, HB 24 and SB 1567 will require updates to the City's Comprehensive Zoning Ordinance (CZO) to ensure compliance.

During a work session with City Council on April 6, 2026, staff presented the proposed CZO amendments, answered questions, and received feedback from the councilmembers. Council concurred with staff's proposed approach; staff is seeking additional feedback from the City Plan Commission before preparing formal amendments for consideration by the Commission and Council through the dual public hearing process.

Mr. Bogda provided an overview of HB 24, related to zoning protest criteria, including information on the current regulations, the specifics of the bill, and the proposed CZO amendments to ensure compliance. He also discussed SB 1567, related to the definition of “family”, including the current definition, the specifics of the bill, and the proposed CZO amendments to ensure compliance.

The Commission had questions related to HB 24, specifically regarding the procedures applicable to mixed-use developments, as well as how a three-fourths majority of the governing body is

calculated under different scenarios. Staff responded that they would research these questions and bring back information to the Commission at the next meeting.

Mr. Bogda indicated that staff will make any necessary updates after incorporating the feedback and prepare formal CZO amendments for consideration by the Commission and Council through the dual public hearing process.

No action was taken.

ADJOURN

With no further business before the Commission, Chairperson Marsh adjourned the regular business meeting at 8:14 p.m.

Bryan Marsh, Chairperson

DRAFT

Agenda Item 2

Zoning File 26-06:
Back Nine Golf



TO: City Plan Commission
FROM: Christine Ross, Planner II - Development Services *CR*
DATE: May 5, 2026
RE: **Zoning File 26-06: Back Nine Golf**

The applicant has requested a continuance from the City Plan Commission's meeting on May 5, 2026 to the Commission's meeting on May 19, 2026. The applicant has a scheduling conflict, hence the requested continuance of this agenda item and related public hearing.

Should the Commission concur with the applicant's request, the appropriate action would be to open the public hearing and continue the agenda item and public hearing to May 19, 2026 at 6:00 p.m.. Staff has no objection to the requested continuance.

Agenda Item 3

Zoning File 26-09:
CZO Amendments

ZONING FILE 26-09

Attachments:

1. Staff Report
2. Proposed Strikethrough/Edited Ordinance
3. Draft Adopting Ordinance



TO: City Plan Commission
FROM: Andrew Bogda, AICP, Assistant Director of Development Services – Planning *AB*
DATE: May 5, 2026
RE: **Zoning File 24-09: CZO Text Amendments – Definition of “Family” and Property Owner Protests for Special Permits and Zoning Changes**

REQUEST

City-initiated amendments to Appendix A (Comprehensive Zoning Ordinance) of the City of Richardson’s Code of Ordinances: Article I, Sec. 2 (Definitions, Family), Article XXII-A, Sec. 4 (Special Permits, Property owner protest), and Article XXIX, Sec. 6 (Changes and Amendments, Property owner protest).

BACKGROUND

Following the conclusion of the State of Texas 89th Legislative Regular Session, staff identified several changes to procedures and regulations that are necessary to ensure compliance with the newly adopted state statutes. The proposed amendments to the Comprehensive Zoning Ordinance (CZO) relate to the following:

- Definition of “Family”; and
- Property owner protests for special permits and zoning changes.

In a work session with the City Council on April 6, 2026, staff presented the proposed CZO amendments to address the legislative changes, answered questions, and received feedback. Council concurred with staff’s proposed approach for amending the CZO, as presented.

In a work session with the City Plan Commission on April 21, 2026, staff presented the proposed CZO amendments and received additional feedback. The Commission also concurred with staff’s proposed approach. The Commission sought clarification regarding if mixed-use developments were defined in the statute, and for the possible supermajority vote by Council if that was related to councilmembers present at the meeting (versus persons elected).

Below is a summary of the legislative changes and the proposed CZO amendments to address those changes:

SB 1567 – Definition of “Family”

- This statute preempts cities that satisfy the bill’s threshold criteria by prohibiting them from restricting the number of occupants in a housing unit based on familial relations, age, or

occupation, but states that they may continue to enforce building and fire code requirements and standards adopted by the State.

- The statute is specifically targeted at home-rule municipalities with a population less than 250,000 with an institution of higher education with an enrollment greater than 20,000, or those municipalities adjacent to such institutions. Given the University of Texas at Dallas is in Richardson, coupled with university enrollment population and the City’s population meeting the statute’s threshold requirements, this bill applies to Richardson. It should be noted that the statute allows for deed restrictions to still apply and be more restrictive than the statute for those neighborhoods that may have deed restrictions.
- CZO Article I, Sec. 2 defines “family” and includes references limiting the number of persons and qualifiers for certain relations (i.e. blood, adoption, or marriage); therefore, the CZO will need to be amended to redefine this term.
- The CZO needs an updated definition that removes the limits on the number of occupants and removes certain relations requirements in order to be compliant with the statute.

HB 24 – Zoning Protest Criteria

- Prior to the passage of HB 24, if 20% of properties within the area being rezoned or within the 200-foot notice area objected to a zoning change, then a supermajority of the City Council would be needed to approve the request. HB 24 increases the property owner protest threshold from 20% to 60% for rezoning requests that allow for more residential development and requires a simple majority vote (instead of supermajority).
- The CZO currently references that if a proposed zoning change or special permit is protested in accordance with Section 211.006 of the Texas Local Government Code (TLGC), the affirmative vote of at least three-fourths (supermajority) of all members of City Council must be received in order to take effect. Given HB 24, there are scenarios where a three-fourths vote is not allowed.
- CZO Article XXII-A, Sect. 4 and Article XXIX, Sect. 6 will need to be amended to comply with the new legislation. Therefore, in order to provide the best transparency for the public regarding the zoning protest procedures and the different scenarios and requirements for each, staff recommends outlining the specific scenarios and requirements within the CZO rather than referring the public to the TLGC.

PROPOSED AMENDMENTS

Below is a summary of the proposed amendments to the CZO. The proposed amendments are outlined in the attached proposed strikethrough/edited ordinance and the draft adopting ordinance.

Article I, Sec. 2 (Definitions, Family):

In the CZO, “Family” is currently defined as:

*“**Family** means one or more persons related by blood, adoption or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons, but not exceeding two, living and cooking together as a single housekeeping unit, though not related by blood, adoption or marriage, shall be deemed to constitute a family.”*

To comply with the statute, the definition of “Family” is proposed to be revised to the following:

“Family means any number of persons occupying a single dwelling unit, living and cooking together as a single housekeeping unit, including but not limited to those related by blood, marriage, adoption, guardianship, or dependency.”

Article XXII-A, Sec. 4 (Special Permits, Property owner protest):

This section is proposed to be amended by outlining the different scenarios and criteria for property owner protests of a requested special permit or amendment to an existing special permit and the procedures and requirements for each scenario:

- For special permits associated with non-residential uses and mixed-use developments that do not satisfy the state’s definition related to mixed-use:
 - Protests by owner(s) of at least 20% of the land or lots to which the special permit will apply: *Affirmative vote of at least three-fourths of all members of the governing body is required in order to take effect.*
 - Protests by owners of at least 20% of the land or lots immediately adjoining the area to which the special permit will apply and extending 200 feet from that area: *Affirmative vote of at least three-fourths of all members of the governing body is required in order to take effect.*
- For special permits associated with residential uses and mixed-use developments that satisfy the state’s definition related to mixed-use:
 - Protests by owners of at least 60% of the land or lots immediately adjoining the area to which the special permit will apply and extending 200 feet from that area if the approval of such application has the effect of allowing more residential development within the area described in such application and does not have the effect of allowing additional commercial or industrial uses within such area (unless the additional use is limited to the first floor of any residential development and does not exceed 35% of the overall development): *Affirmative vote of a simple majority of all members of the governing body.*

Note that for purposes of protest procedures, the state statute acknowledges mixed-use developments as being “residential” if the commercial uses proposed within the development are limited to the first floor only and that the commercial uses do not exceed 35% of the overall development.

Article XXIX, Sec. 6 (Changes and Amendments, Property owner protest):

This section is proposed to be amended by outlining the different scenarios and criteria for property owner protests of a requested change to a zoning regulation or district boundary and the procedures and requirements for each scenario:

- For zoning requests associated with non-residential uses and mixed-use developments that do not satisfy the state’s definition related to mixed-use:
 - Protests by owner(s) of at least 20% of the land or lots to which the proposed change to a zoning regulation or district boundary will apply: *Affirmative vote of at least three-fourths of all members of the governing body is required in order to take effect.*
 - Protests by owners of at least 20% of the land or lots immediately adjoining the area to which the proposed change to a zoning regulation or district boundary will apply and

extending 200 feet from that area: *Affirmative vote of at least three-fourths of all members of the governing body is required in order to take effect.*

- For zoning requests associated with residential uses and mixed-use developments that satisfy the state’s definition related to mixed-use:
 - Protests by owners of at least 60% of the land or lots immediately adjoining the area to which the proposed change to a zoning regulation or district boundary will apply and extending 200 feet from that area if the approval of such application has the effect of allowing more residential development within the area described in such application and does not have the effect of allowing additional commercial or industrial uses within such area (unless the additional use is limited to the first floor of any residential development and does not exceed 35% of the overall development): *Affirmative vote of a simple majority of all members of the governing body.*

As noted above for special permits, for purposes of protest procedures, the same defining criteria for mixed-use developments being considered “residential” also applies to zoning requests.

Supermajority/three-fourths criteria:

For purposes of the supermajority/three-fourths vote in relation to a protest, per the Texas Local Government Code (TLGC) Section 211.0061, the supermajority vote is based on “all members of the governing body”. Therefore, if there are seven (7) councilmembers of the governing body, then the supermajority vote is based on seven (7), thus minimum six (6) out of seven (7) votes required. If there is an absent councilmember such that six (6) members are present, then the minimum required vote for the supermajority is still six (6) members due the governing body being seven (7) members, thus six (6) out of six (6) votes required.

If there is a vacant seat on the Council, or if a councilmember is disqualified from voting on the request due to a legal conflict of interest, then the statute allows for the vacant seat to be deducted. In this scenario and presuming typical seven (7) councilmembers of the governing body, if there is one (1) vacant seat then the total number of councilmembers is now six (6) to constitute the governing body and the supermajority vote would now be based on six (6) members, thus minimum five (5) votes out of six (6) votes required.

REQUESTED ACTION

Correspondence: The Texas Local Government Code (TLGC) does not require mailed notices or publication of a legal notice of a public hearing in the newspaper for the City Plan Commission for the proposed zoning text amendments. However, a notice of public hearing is required to be published in the newspaper for the City Council’s public hearing, currently scheduled for June 15, 2026; assuming this zoning request will move forward on that date, the notice will be published in the *Dallas Morning News* on or before May 30, 2026. Additionally, notice of this zoning case has been published on the City’s website. To date, staff has not received any correspondence regarding this request.

Motion: The Commission will be making a recommendation to the City Council regarding this request. Should the Commission concur with the proposed text amendments, the motion should be made as follows:

Recommend approval of the amendments to Article I, Sec. 2 (Definitions, Family), Article XXII-A, Sec. 4 (Special Permits, Property owner protest), and Article XXIX, Sec. 6 (Changes and Amendments, Property owner protest), as presented.

Council Hearing Date: The City Council hearing date is currently scheduled for June 15, 2026.

Article I. Title, Definitions, General Provisions, Auto Wrecking Yards, and Swimming Pools

Sec. 2. Definitions.

...

Family means ~~one or more~~ any number of persons occupying a single dwelling unit, living and cooking together as a single housekeeping unit, including but not limited to those related by blood, ~~adoption or marriage~~, adoption, guardianship, or dependency ~~living and cooking together as a single housekeeping unit, exclusive of household servants~~. A number of persons, but not exceeding two, living and cooking together as a single housekeeping unit, though not related by blood, adoption or marriage, shall be deemed to constitute a family. The term family shall not be construed to mean a club, a lodge, a fraternity/sorority house, or an organization or institutional group that receives federal or state funding for the care of the individual.

...

Article XXII-A. Special Permits

Sec. 4. Property owner protest.

- (a) This section applies only to the protest of an application requesting approval of a proposed special permit or an amendment to an existing special permit.
- (b) A protest of an application requesting approval of a proposed special permit or an amendment to an existing special permit must be written and signed by the owners of:
 - (1) at least 20 percent of the area of the lots or land to which the special permit will apply;
 - (2) except as provided by paragraph (3), at least 20 percent of the area of the lots or land immediately adjoining the area to which the special permit will apply and extending 200 feet from that area; or
 - (3) at least 60 percent of the area of the lots or land immediately adjoining the area to which the application applies and extending 200 feet from that area if the approval of such application has the effect of allowing more residential development within the area described in such application than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses within such area unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development.
- (c) In computing the percentage of land area under Subsection (b):
 - (1) the area of streets and alleys shall be included; and
 - (2) the land area is not calculated individually for each tract of land subject to a proposed special permit or revision to a special permit but in the aggregate for all tracts of land subject to the application for the proposed special permit or amendment to the existing special permit, as applicable.
- (d) If an application for a proposed special permit or amendment to an existing special permit is protested in accordance with Subsection (b), the proposed change must receive, in order to take effect, the affirmative vote of at least:
 - (1) three-fourths of all members of the governing body for a protest described by Subsection (b) (1) or (2); or
 - (2) a majority of all members of the governing body for a protest described by Subsection (b) (3).

Article XXIX. Changes and Amendments

Sec. 6. Property owner protest.

- (a) This section applies only to an application for a proposed change to a zoning regulation or district boundary applicable to specific property described in such application.
- (b) A protest of an application requesting approval of a proposed change to a zoning regulation or district boundary must be written and signed by the owners of:
 - (1) at least 20 percent of the area of the lots or land to which the proposed change will apply;
 - (2) except as provided by paragraph (3), at least 20 percent of the area of the lots or land immediately adjoining the area to which the proposed change will apply and extending 200 feet from that area; or
 - (3) at least 60 percent of the area of the lots or land immediately adjoining the area to which the proposed change will apply and extending 200 feet from that area if the approval of the proposed change has the effect of allowing more residential development within the area described in such application than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses within such area unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development.
- (c) In computing the percentage of land area under Subsection (b):
 - (1) the area of streets and alleys shall be included; and
 - (2) the land area is not calculated individually for each tract of land subject to a proposed change in a zoning regulation or district boundary but in the aggregate for all tracts of land subject to the change.
- (d) If a proposed change to a regulation or district boundary is protested in accordance with Subsection (b), the proposed change must receive, in order to take effect, the affirmative vote of at least:
 - (1) three-fourths of all members of the governing body for a protest described by Subsection (b) (1) or (2); or
 - (2) a majority of all members of the governing body for a protest described by Subsection (b) (3).

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, BY AMENDING ARTICLE I, SECTION 2 “DEFINITIONS” TO REVISE THE DEFINITION FOR “FAMILY”, BY AMENDING IN ITS ENTIRETY ARTICLE XXII-A “SPECIAL PERMITS”, SECTION 4 “PROPERTY OWNER PROTEST”, AND BY AMENDING IN ITS ENTIRETY ARTICLE XXIX “CHANGES AND AMENDMENTS”, SECTION 6 “PROPERTY OWNER PROTEST”; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 26-09).

WHEREAS, the City Plan Commission of the City of Richardson and the governing body of the City of Richardson, in compliance with the laws of the State of Texas and the ordinances of the City of Richardson, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance should be amended; **NOW THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending Article I, Section 2 “Definitions” to revise the definition for “Family”, by amending in its entirety Article XXII-A “Special Permits”, Section 4 “Property owner protest”, and by amending in its entirety Article XXIX “Changes and Amendments”, Section 6 “Property owner protest”, to read as follows:

“ARTICLE I. – TITLE, DEFINITIONS, GENERAL PROVISIONS, AUTO WRECKING YARDS, AND SWIMMING POOLS

...

Sec. 2. Definitions.

...

Family means any number of persons occupying a single dwelling unit, living and cooking together as a single housekeeping unit, including but not limited to those related by blood, marriage, adoption, guardianship, or dependency.

...

ARTICLE XXII-A. – SPECIAL PERMITS

...

Sec. 4. Property owner protest.

- (a) This section applies only to the protest of an application requesting approval of a proposed special permit or an amendment to an existing special permit.
- (b) A protest of an application requesting approval of a proposed special permit or an amendment to an existing special permit must be written and signed by the owners of:
 - (1) at least 20 percent of the area of the lots or land to which the special permit will apply;
 - (2) except as provided by paragraph (3), at least 20 percent of the area of the lots or land immediately adjoining the area to which the special permit will apply and extending 200 feet from that area; or
 - (3) at least 60 percent of the area of the lots or land immediately adjoining the area to which the application applies and extending 200 feet from that area if the approval of such application has the effect of allowing more residential development within the area described in such application than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses within such area unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development.
- (c) In computing the percentage of land area under Subsection (b):
 - (1) the area of streets and alleys shall be included; and
 - (2) the land area is not calculated individually for each tract of land subject to a proposed special permit or revision to a special permit but in the aggregate for all tracts of land subject to the application for the proposed special permit or amendment to the existing special permit, as applicable.
- (d) If an application for a proposed special permit or amendment to an existing special permit is protested in accordance with Subsection (b), the proposed change must receive, in order to take effect, the affirmative vote of at least:
 - (1) three-fourths of all members of the governing body for a protest described by Subsection (b) (1) or (2); or
 - (2) a majority of all members of the governing body for a protest described by Subsection (b) (3).

...

ARTICLE XXIX. – CHANGES AND AMENDMENTS

...

Sec. 6. Property owner protest.

- (a) This section applies only to an application for a proposed change to a zoning regulation or district boundary applicable to specific property described in such application.
- (b) A protest of an application requesting approval of a proposed change to a zoning regulation or district boundary must be written and signed by the owners of:
 - (1) at least 20 percent of the area of the lots or land to which the proposed change will apply;
 - (2) except as provided by paragraph (3), at least 20 percent of the area of the lots or land immediately adjoining the area to which the proposed change will apply and extending 200 feet from that area; or
 - (3) at least 60 percent of the area of the lots or land immediately adjoining the area to which the proposed change will apply and extending 200 feet from that area if the approval of the proposed change has the effect of allowing more residential development within the area described in such application than the existing zoning regulation or district boundary and does not have the effect of allowing additional commercial or industrial uses within such area unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development.
- (c) In computing the percentage of land area under Subsection (b):
 - (1) the area of streets and alleys shall be included; and
 - (2) the land area is not calculated individually for each tract of land subject to a proposed change in a zoning regulation or district boundary but in the aggregate for all tracts of land subject to the change.
- (d) If a proposed change to a regulation or district boundary is protested in accordance with Subsection (b), the proposed change must receive, in order to take effect, the affirmative vote of at least:
 - (1) three-fourths of all members of the governing body for a protest described by Subsection (b) (1) or (2); or
 - (2) a majority of all members of the governing body for a protest described by Subsection (b) (3).

...”

SECTION 2. That all other provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other

provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 6. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide, but shall be applicable only to applications filed with the City pursuant to and in accordance with the Comprehensive Zoning Ordinance on or after the effective date of this Ordinance.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 15th day of June 2026.

APPROVED:

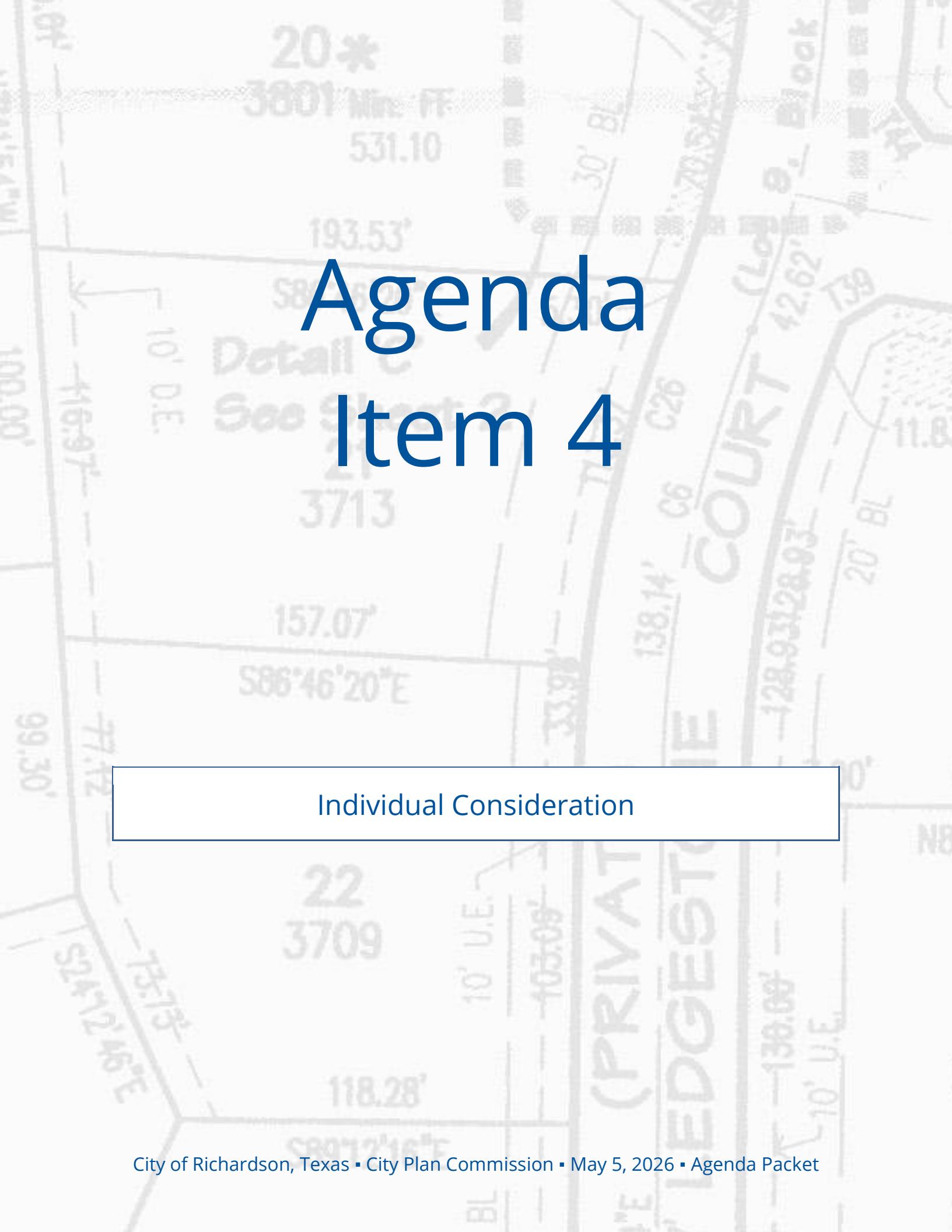
MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY

CORRECTLY ENROLLED:

CITY SECRETARY



Agenda Item 4

Individual Consideration

Agenda Item 5

Work Session Discussion



DATE: May 5, 2026

TO: City Plan Commission

FROM: Andrew Bogda, AICP, Assistant Director of Development Services – Planning *AB*

SUBJECT: **Present and discuss potential updates to the Comprehensive Zoning Ordinance related to home occupation and no-impact home-based business uses.**

The purpose of the work session discussion on May 5, 2026, is to update the City Plan Commission (the Commission) regarding proposed amendments to the Comprehensive Zoning Ordinance (CZO) related to legislative changes adopted during the State of Texas 89th Legislative Regular Session pertaining to home occupation and no-impact home-based business uses. This memo provides an overview of the proposed ordinance amendments to address the statutory changes.

At the Commission’s meeting on May 5, 2026, staff will present the proposed amendments, answer questions, and receive any additional feedback prior to preparing the formal amendments for consideration by the Commission and Council through the dual public hearing process.

Background:

Currently, the CZO allows for businesses to be operated within a residence provided the business satisfies 13 operational criteria specified in the CZO in order to protect the residential character of the surrounding residences and neighborhood; this type of business is referred to as a “home occupation” use.

Home occupation uses are specifically allowed by right in all of the City’s single-family detached residential zoning districts. Given the cumulative nature of the CZO, home occupations are also allowed in all of the other residential zoning districts (single-family attached (townhome), patio home, duplex, and apartment zoning districts) since each of those zoning districts include a provision allowing for “*Single-family detached dwellings and other uses in compliance with all provisions and area regulations of the R-1500-M Residential District.*”

Below is a summary of the new legislation pertaining to home occupation uses, including the introduction of the “no-impact home-based business” use (also referred to as home-based business (no impact)) due to the statutory changes, and the recommended approach to updating the CZO to comply with the legislation.

HB 2464 – Home Occupations/No-Impact Home-Based Businesses

- This statute is pre-emptive on cities such that it removes the ability for cities to require permits/licenses for “no-impact home-based businesses” and eases the ability for such “no-impact home-based businesses” to operate within residential neighborhoods. Cities may require businesses operated with a residence to be in compliance with provisions provided for

in the statute, including being compatible with residential uses and secondary to a primary residential use. Furthermore, the statute allows for deed restrictions to still apply and be more restrictive than the statute for those neighborhoods that may have deed restrictions.

- As noted earlier in this report, the CZO currently utilizes the terminology of “home occupation” and allows such uses within all of the City’s residential zoning districts (including single-family detached, single-family attached (townhome), patio home, duplex, and apartment zoning districts). The Definitions section of the CZO (Article I, Sec. 2), includes 13 criteria to ensure the home occupation use has no adverse impacts to the surrounding neighborhood, thereby presumably being compatible with residential uses and neighborhoods.
- There are areas within the CZO that will need to be amended to distinguish between “home occupation” and “home-based business (no impact)” uses and align the City’s current performance criteria with what is now allowed in the state statute.
 - Since the statute makes a distinction between “home-based business” (or home occupation) and “no-impact home-based business,” with different requirements for each, the CZO will need to be amended to align with the statute by redefining “home occupation,” as well as adding a new definition for “home-based business (no impact).”
 - Use-specific performance criteria will need to be established within Article XXII-E Supplemental Regulations for Certain Uses, thereby creating a new section (Sec. 10) and establishing separate supplemental regulations for “home occupation” and “home-based business (no impact)” that are in compliance with the statute.
 - Each of the residential zoning districts that allows “home occupation” as a permitted use will need to be amended to add the use “home-based business (no impact)” as a permitted use.

Due to home occupation uses that may be legally operating within the city in accordance with the current CZO requirements, staff believes it is appropriate to retain the existing home occupation use as a permitted use in the CZO to not cause potential non-conforming uses. While the home occupation use is similar to the home-based business (no impact) use, given that the state allows for greater usage of a residential property for home-based business (no impact) uses, the home occupation use has other performance limitations in the interest of protecting neighborhood character.

Next Steps:

Based on the feedback received from the Commission at their May 5, 2026 meeting, staff will make any necessary updates and prepare formal CZO amendments for consideration by the Commission and Council through the standard dual public hearing process (following proper public notification in accordance with state statutes).