

## **ORDINANCE NO. 2456**

**AN ORDINANCE AMENDING SECTION 84-7, "DEFINITIONS AND WORD USAGE," AND SECTION 84-85, "SPECIAL CONDITIONS BY USE TYPE," OF ARTICLE IV, "ZONING DISTRICT REGULATIONS," OF CHAPTER 84, "UNIFIED DEVELOPMENT CODE," OF THE CODE OF ORDINANCES, CITY OF EULESS, TEXAS, AMENDING THE DEFINITION OF "HOME OCCUPATION" AND PROVIDING REGULATIONS FOR HOME-BASED BUSINESSES THAT ARE INCIDENTAL AND SUBORDINATE TO THE PRIMARY RESIDENTIAL USE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Euless, Texas (the "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**, pursuant to Chapter 211 of the Texas Local Government Code, the City of Euless has adopted a comprehensive zoning ordinance, codified in Chapter 84, "Unified Development Code," of the Code of Ordinances, City of Euless, Texas, (the "UDC") and map regulating the location and use of buildings, other structures, and land for business, industrial, residential, and other purposes, for the purpose of promoting the public health, safety, morals, and general welfare, all in accordance with a comprehensive plan; and

**WHEREAS**, the City Council previously adopted regulations governing home occupations within the City; and

**WHEREAS**, the City Council desires to amend those regulations in accordance with HB 2464 of the 89<sup>th</sup> Legislative Session; and

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on July 21, 2026, in conjunction with the amendment herein, and has rendered a recommendation to the City Council with respect to this case; and

**WHEREAS**, the City Council has conducted a public hearing on August 11, 2026, considered the recommendation of the Planning and Zoning Commission, and has determined that the proposed change is in the best interest of the general welfare of the City of Euless; and

**WHEREAS**, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Texas Local Government Code.

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

**SECTION 1.**

Subsection (b), "Definitions," of Section 84-7, "Definitions and word usage," of Article I, "General Provisions," of Chapter 84, "Unified Development Code," of the Code of Ordinances, City of Euless, Texas, is amended by amending the definition of "Home Occupation" to read as follows:

"Home occupation" means a home-based business conducted by a resident owner or tenant of a residence that meets the standards set forth in Section 84-85, Subsection (n) of this Code."

**SECTION 2.**

Subsection (n) of Section 84-85, "Special conditions by use type," of Article IV, "Zoning District Regulations," of Chapter 84, "Unified Development Code," of the Code of Ordinances, City of Euless, Texas, is amended to read as follows:

"(n) Home occupations. Home occupations shall be permitted as a clearly incidental and subordinate use to the primary residential use of residences provided that they operate as a "no-impact home-based business" (HBB) as defined in Section 229.902 of the Texas Local Government Code with the following conditions and exceptions. The city council may, at any time, amend this section to terminate any or all conditions and exceptions herein, and any HBB permitted to be regulated by state statute, without creating nonconforming rights to the continuation of an HBB."

- (1) The owner of the HBB shall be the resident owner or tenant of the residence in which it operates.
- (2) Advertising, signage, or other exterior identification of the HBB is not permitted.
- (3) Work being performed on the property to create, alter, or repair a product may only be performed in compliance with all standards set forth herein. Such work may be visible from a private street, public right-of-way, or adjacent property during the hours of 7:00 AM and 6:00 PM only if the work is performed under or within a form of shelter, such as an open or closed garage, that is not within a required front or side yard. In all other cases, work performed on site shall not be visible from surrounding properties.
- (4) Exhibits or display of services, goods, wares or merchandise for sale shall not be visible from any private street or public right-of-way, or adjacent property, except for an incidental yard or garage sale as otherwise permitted by the UDC.

- (5) The HBB shall not generate noise, vibration, glare, fumes/odors, heat or electrical interference beyond what normally occurs within a residential district and shall not be discernable from the property boundaries where the use occurs.
- (6) Traffic generated by the HBB will not be in greater volume than would normally be expected in a residential neighborhood of like character and shall be calculated as follows: The total number of business related trips to a residential property during a 24-hour period shall not exceed a number equivalent to 100 percent (100%) of the average number of trips generated by the particular home type defined by the Institute of Transportation Engineers (ITE) Trip Generation Manual, rounded up to the nearest whole number. For example, if the ITE Manual states a certain type of residence should generate an average of 9.91 trips per day on average, the total number of business-related trips shall not exceed ten (10) per day. Furthermore, the HBB shall not require more than two deliveries per week by a tractor-trailer.
- (7) Parking.
  - a. Resident-owned vehicles of which the primary purpose is for personal use shall be subject to standard parking requirements of the UDC.
  - b. Resident owned vehicles of which the primary purpose is to support the HBB, and non-resident vehicles arriving at the residence in relation to the HBB, shall park in the following manner:
    - 1. A maximum of two (2) vehicles may be permitted to park on the street between the hours of 7:00 AM and 6:00 PM.
    - 2. Vehicles parked on-site (off-street) shall not exceed 50 percent (50%) of the required parking for residential uses per the standard requirements of the UDC.
  - c. Any vehicle greater than 1-1/2 tons that is otherwise permitted in conformance with this section, shall only be parked in front of the home on the side of the street the home is located, for a maximum of two (2) hours in any 24-hour period.
- (8) The following businesses shall not be permitted as an HBB:
  - a. a business that sells alcohol or illegal drugs;
  - b. a structured sober living home, unless otherwise permitted and approved pursuant to the UDC; or
  - c. a sexually oriented business as defined by Section 243.002 of the Texas Local Government Code.

- (9) This HBB ordinance does not amend any restriction imposed by a homeowner's association or other private agreement, nor does it amend any requirements found within the UDC regarding short-term rental units.
- (10) The residence in which the HBB operates shall be subject to all applicable ordinances and building, health, and fire safety codes.
- (11) See chapter 82, "Traffic and Motor Vehicles" for further regulations."

### **SECTION 3.**

**CUMULATIVE CLAUSE.** This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Euless, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

### **SECTION 4.**

**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 5.**

**PENALTY FOR VIOLATION.** Any person, firm, or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1, "General Provisions," Section 1-12, "General Penalty," Euless Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

### **SECTION 6.**

**SAVINGS CLAUSE.** All rights and remedies of the City of Euless are expressly saved as to any and all violations of the provisions of the Euless Unified Development Code applicable to the Property that 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 7.

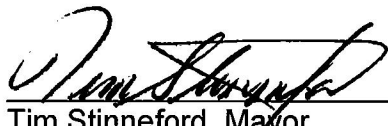
**PUBLICATION CLAUSE.** The caption, penalty clause, and effective date clause of this ordinance shall be published in a newspaper of general circulation in the City of Euless, in compliance with the provisions of Article II, Section 11, of the Euless City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

## SECTION 8.

**EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage, as provided by the Euless City Charter and the laws of the State of Texas.

**PRESENTED AND PASSED ON FIRST AND FINAL READING** at a regular meeting of the Euless City Council on August 11, 2026, by a vote of 7 ayes, 0 nays, and 0 abstentions.

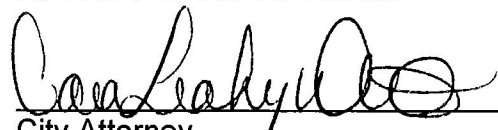
**APPROVED:**

  
\_\_\_\_\_  
Tim Stinneford, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kim Sutter, TRMC, MMC  
City Secretary/Chief Governance Officer

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
City Attorney