

ORDINANCE NO. 2026-15

AN ORDINANCE OF THE CITY OF BALCONES HEIGHTS, TEXAS, AMENDING §153.4. OF THE CODE OF ORDINANCES OF THE CITY OF BALCONES HEIGHTS, TEXAS, RELATING TO DESIGN AND FORM STANDARDS; PROVIDING REGULATIONS; PROVIDING A REPEALER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Balcones Heights, Texas, seeks to maintain and enhance the visual character, orderly development, and overall aesthetic quality of the community; and

WHEREAS, the City Council finds that clear and consistently applied design and form standards are essential to preserving the appearance, compatibility, and long-term value of development within the City; and

WHEREAS, the City Council further finds that certain structures, equipment, and storage elements placed on property, if not properly screened, may negatively affect the visual environment and the character of surrounding areas; and

WHEREAS, the City Council also finds that cargo and shipping containers, when located on property within the City, have the potential to create visual impacts similar to other regulated storage or service elements and therefore should be expressly included among the items subject to screening and design requirements; and

WHEREAS, the City Council desires to amend §153.4 of the Code of Ordinances to clarify and update screening requirements and to ensure that cargo and shipping containers are regulated in a manner consistent with the City's established design and form standards.

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

SECTION 1. AMENDMENT. Section 153.4 of the Code of Ordinances of the City of Balcones Heights, Texas, entitled "DESIGN AND FORM STANDARDS" is hereby amended as set for in Exhibit A attached hereto and incorporated herein for all purposes.

SECTION 2. PUBLIC PURPOSE. The City Council finds that the amendments set forth in Exhibit "A" promote the public health, safety, and general welfare by ensuring consistent design and screening standards, preserving the visual character of the City, and reducing adverse impacts associated with unscreened structures, including cargo and shipping containers.

SECTION 3. REPEALER. All ordinances, code sections, or parts thereof in conflict herewith are repealed to the extent of such conflict.

SECTION 4. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this ordinance are true and correct and incorporate them as findings of fact.

SECTION 5. SEVERABILITY. Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

SECTION 6. PROPER NOTICE AND MEETING. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, and Chapter 551.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its publication as provided by law.

ORDERED AND APPROVED by the City Council of the City of Balcones Heights, Texas, this 27 day of April 2026.

Johnny A. Rodriguez Jr., Mayor

Attest:

Joe Bravo, City Secretary