



# Ordinance Amendment: Home Occupation/No-Impact Home Based Business

PRESENTED TO CITY COUNCIL– 5.4.26

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# BACKGROUND

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- House Bill (HB) 2464, adopted by the 89th Texas Legislature, amends the Texas Local Government Code to limit how municipalities may regulate certain home-based businesses.
- The bill aims to reduce "red tape" for entrepreneurs, allowing for easier, lower-cost home-based business operations without needing government permission.
- Effective September 1, 2025, the law prohibits cities from requiring rezoning, special permits, or restrictive parking or occupancy standards for a home-based business that qualifies as a “no-impact home-based business,” meaning it does not create additional traffic, noise, or visual impacts beyond typical residential use.
- The law does not apply to businesses that sell alcohol/illegal drugs, operate as sexually oriented businesses, or violate local noise ordinances. It also does not override private HOA deed restrictions.

# PURPOSE

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- The current home occupation regulations of the City of Burleson do not fully comply with this state law.
- The proposed ordinance amendment would allow home-based businesses that meet the statutory definition of a “no-impact home-based business” and bring the City’s regulations into compliance with state requirements.
- Specifically, the proposed ordinance adds a new subsection 10 to the definition of **Home Occupation** to read as follows:

*“(10) A home occupation that falls under the definition of a No-Impact Home Based Business shall be permitted.”*

# PURPOSE

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➤ Additionally, the following definition of **No-Impact Home Based Business** is added:

An occupation conducted in a dwelling unit that:

- 1) Has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the municipal occupancy limit for the property;
- 2) Does not generate on-street parking or a substantial increase in traffic through the area;
- 3) Operates in a manner in which none of its activities are visible from a street; and
- 4) Does not substantially increase noise in the area or violate the city's noise ordinance.

This definition does not include the sell of alcohol or illegal drugs, structured sober living homes, sexually oriented businesses, or short-term rentals.”

# Recommendation

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- The Planning and Zoning Commission conducted a public hearing and unanimously recommended approval of the ordinance.
  
- Staff recommends approval of the ordinance amendment.

# Questions / Comments

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