


**City Council Regular Meeting**

**DEPARTMENT:** Development Services  
**FROM:** Tony D. McIlwain, Director  
**MEETING:** May 4, 2026

**SUBJECT:**

Consider and take possible action on an ordinance amending Section 50, "Definitions," of Article II of Appendix B, "Zoning," of the Code of Ordinances by amending the definition of Home Occupation by adding a new definition of No-Impact Home Based Business in accordance with State law. *(Final Reading) (Staff Contact: Tony D. McIlwain, Development Services Director)*

**STRATEGIC PRIORITY AND GOAL(S):**

Strategic Priority	Strategic Goal
 <p><b>Dynamic &amp; Preferred City</b> Through Managed Growth</p>	<p>2.2 Promote sustainable residential and commercial development through strategic and long-term planning; providing business – friendly environment; continuing efficient development review process; and enhancing partnership with the development community.</p>

**SUMMARY:**

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.

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.

**RECOMMENDATION:**

Staff recommends approval of the ordinance amendment.

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

*March 24, 2026:* The Planning and Zoning Commission conducted a public hearing and unanimously recommended approval of the ordinance.

*April 20, 2026:* The City Council conducted a public hearing on the first reading of the ordinance.

**REFERENCE:**

[Texas Constitution and Statutes](#)

**FISCAL IMPACT:**

None

**STAFF CONTACT:**

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