

MAYOR AND CITY COUNCIL COMMUNICATION

DATE: May 6, 2025

TO: Mayor and City Council

FROM: Susana Huerta, AICP, Planning and Zoning Director

THROUGH: Crystal Caldera, Ph.D., City Manager

SUBJECT: Presentation, Discussion, and **Public Hearing** to Consider Approval of an Ordinance on a Non-Specified Use Request to Amend Chapter 15 Zoning, Article 15.02 Zoning Ordinance, Division 2 Rules of Construction and Definitions and Division 6 Permitted Use Table to Establish the Definition and Use "Bail Bond Facility" as Being Allowed in the B-2 Retail Zoning District with a Specific Use Permit (SUP), and in the B-3 Commercial and I-1 Industrial Zoning Districts By Right

PURPOSE

The purpose of this communication is to consider an amendment to Chapter 15 Zoning for a Non-Specified Use request to define and allow the use "Bail Bond Facility" in the following zoning categories:

- B-2 Retail Zoning District: With a Specific Use Permit (SUP).
- B-3 Commercial and I-1 Industrial Zoning Districts: Without an SUP.

The use is currently not defined or listed in the Permitted Use Table.

Proposed Definition:

"Bail Bond Facility: A business that provides bail services, essentially acting as a surety. Bail Bonds businesses post bonds with courts, guaranteeing that a defendant will appear for all scheduled court dates. In exchange for the guarantee, the company charges a fee. Bail Bonding companies are required to provide proof of current licensing with the state of Texas."

Operational Characteristics:

- Typically follows regular business hours.
- Located in enclosed business offices or stand-alone buildings.
- No outside storage.
- Most transactions and inquiries occur via phone; staff is available 24/7 to take calls.

Regulatory Background:

Bail Bond companies and their agents are licensed and regulated by the state insurance department under the Occupations Code, Title 10. Occupations Related to Law Enforcement and Security, Chapter 1704.

Relevant Zoning Ordinance Sections:

Division 11 - Non-Specified Uses

Sec. 15.02.601 - Definition: A non-specified use is one that does not fall under existing zoning district categories or conform to district purposes.

Sec. 15.02.602 - Effect of Provision:

- Propose new uses for inclusion in zoning districts.
- Allow certain uses in additional zoning districts.
- Adjust specific use permit requirements for particular uses in specific districts.

Sec. 15.02.603 - Hearings:

Non-specified uses may be categorized by the Planning and Zoning Commission. Approval by City Council is required following application and public hearing procedures.

Proposed Permitted Use Table Update:

Use	O-1	B-1	B-2	B-3	I-1
Bail Bond Facility	X	X	SUP	P	P

FISCAL IMPACT

These changes may potentially increase ad valorem and sales tax revenues.

RECOMMENDATION

Staff recommends defining “Bail Bond Facility” and assigning this use into appropriate zoning districts. This will provide applicants with clear processes and requirements for approval. The City Council is reminded that allowing the use in a particular zoning district will permit such facilities in all areas of the city within that zoning designation.

PLANNING AND ZONING COMMISSION RECOMMENDATION

At their April 22, 2025 meeting, the Planning and Zoning Commission made a recommendation to approve the Non-Specified Use request with a vote of 5 – 1.