



City of Highland Haven
510 Highland Drive, Suite A
Highland Haven TX 78654-8269
Phone: 830-265-4366 Fax: 512-366-9721

AGENDA – PLANNING & ZONING COMMISSION REGULAR MEETING

DATE: September 11, 2025

TIME: 6:00 PM

PLACE: Highland Haven Community Center, 118 Blackbird, Highland Haven, TX 78654

1. Open meeting and Roll Call to Establish Quorum

Jackie Garrow	Chair	☐ Present	☐ Absent
Lorinda Peters	Vice Chair	☐ Present	☐ Absent
Linda Ray	Secretary	☐ Present	☐ Absent
Connie Smith	Member	☐ Present	☐ Absent
John Novak	Member	☐ Present	☐ Absent

2. Pledge of Allegiance

3. Recognize visitors.

4. Presentations/Proclamations – Public Comment

(At this time, any person with business before the P&Z Commission not scheduled on the agenda may speak to the Commission. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)

ACTION ITEMS

5. Consider Minutes from August 14, 2025 Regular P&Z Meeting
6. Consider Minutes from August 25, 2025 Public Hearing - Replat
7. Consider/Possible Action: Finalize Town Hall #1 (September 25, 2025)
 - a. Summary of Documents
 - b. Outline of Discussion/Agenda/Handout
8. Consider/Possible Action: Legislative Workshop
 - a. Planning & Zoning Only
 - b. Joint with Board of Aldermen
9. Consider/Possible Action – Town Hall #2 (October 23, 2025)
 - a. Agenda
 - b. Handout

DISCUSSION ITEMS.

10. Texas Open Meetings Act
11. Discussion – New legislation requiring updates and/or new ordinances
 - a. Review List from Board of Aldermen
 - b. Prioritize changes/create organized plan and timeline

INFORMATION ITEMS

12. P&Z Commission Member Comments.
13. Town Hall Meeting #1: Thursday, September 25, 2025 Time 6:00-7:30 PM (Community Center)
14. Next Regular Meeting: October 9, 2025 at 6:00 PM (Community Center)
15. Items to be considered for the next agenda must be received by the Chair on or before October 1, 2025.

16. Adjournment.

Agenda posted on September 5, 2025

CERTIFICATION OF POSTING

I, SARAH COLLARD, CERTIFY THAT THE FOREGOING AGENDA HAS BEEN POSTED AT HIGHLAND HAVEN CITY HALL, 510 HIGHLAND DRIVE, SUITE A; HIGHLAND HAVEN, TX, ON THE INDOOR AND OUTDOOR NOTICE BOARDS OF CITY HALL, WHICH ARE CONVENIENTLY ACCESSIBLE TO THE PUBLIC AT ALL TIMES, AND THE CITY WEBSITE AT [WWW. HIGHLANDHAVENTX.COM](http://WWW.HIGHLANDHAVENTX.COM) ON THE 5th DAY OF SEPTEMBER, 2025, AND REMAINED SO POSTED FOR AT LEAST THREE BUSINESS DAYS PRECEDING THE SCHEDULED DATE OF SAID MEETING PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.

Sarah Collard

Sarah Collard, City Secretary





City of Highland Haven
510 Highland Drive, Suite A
Highland Haven TX 78654-8269
Phone: 830-265-4366 Fax: 512-366-9721

MINUTES– PLANNING & ZONING COMMISSION REGULAR MEETING

DATE: August 14, 2025

TIME: 6:00 PM

PLACE: Highland Haven Community Center, 118 Blackbird, Highland Haven, TX 78654

1. Open meeting and Roll Call to Establish Quorum – **Lorinda Peters called the meeting to order at 6:00 PM.**

Jackie Garrow	Chair	☐ Present	☒ Absent
Lorinda Peters	Vice Chair	☒ Present	☐ Absent
Linda Ray	Secretary	☒ Present	☐ Absent
Connie Smith	Member	☒ Present	☐ Absent
John Novak	Member	☒ Present	☐ Absent

2. Pledge of Allegiance – **Lorinda Peters led the Pledge of Allegiance.**
3. Recognize visitors. – **There were no visitors.**
4. Presentations/Proclamations – Public Comment
(At this time, any person with business before the P&Z Commission not scheduled on the agenda may speak to the Commission. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)
There were no public comments.

ACTION ITEMS

5. Consider Minutes from June 30, 2025 Public Hearing – No action taken.
6. Consider Minutes from July 10, 2025 Regular P&Z Meeting
A motion to accept the minutes from the July 10, 2025 Regular P&Z Meeting was made by Connie Smith, seconded by Linda Ray.
Vote: 4-0
7. Consider Minutes from July 29, 2025 Special P&Z Meeting
A motion to accept the minutes from the July 29, 2025 Special P&Z Meeting was made by Connie Smith, seconded by John Novak.
Vote: 4-0
8. Public Hearing – Commercial Zoning Ordinance
The Public Hearing opened at 6:02 PM.
There were no visitors present.
The Public Hearing closed at 6:02 PM.
9. Discussion/Possible Action – Recommendation to Board of Aldermen Regarding Commercial Zoning Ordinance
A motion was made by Connie Smith to to recommend to the Board of Aldermen acceptance of the Commercial Zoning Ordinance. The motion was seconded by Linda Ray.
Vote: 4-0
10. Consider/Possible Action: Finalize Town Hall #1 Recommendation to Board of Aldermen
 - a. Review Flyer
 - b. Finalize Agenda for Discussion
 - c. Confirm Time and Date
 - i. Date: September 25, 2025

- ii. Start Time & End Time

Linda Ray made a motion to confirm for review the Town Hall #1 Flyer, Agenda, and Date/Time to the Board of Aldermen, seconded by John Novak.

Vote: 4-0

DISCUSSION ITEMS.

- 11. Availability to attend September 2, 2025 Board of Aldermen Meeting
- 12. Topics for Town Hall #2
 - a. Infrastructure (John Novak & Lorinda Peters)
 - i. Review Draft of Flyer
 - b. Services (John Novak & Lorinda Peters)
 - i. Review Draft of Flyer

INFORMATION ITEMS

- 13. P&Z Commission Member Comments.
- 14. Next Special Meeting: Public Hearing on Replat on Monday, August 25, 2025 at 1:00 PM (City Hall)
- 15. Next Regular Meeting: September 11, 2025 at 6:00 PM (Community Center)
- 16. Items to be considered for the next agenda must be received by the Chair on or before September 3, 2025.

A motion to adjourn was made by Linda Ray, seconded by Connie Smith

Vote 4-0

- 17. Adjournment.

The meeting adjourned at 6:41 PM.

Lorinda Peters, Vice Chair

Sarah Collard, City Secretary





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510 Highland Drive, Suite A
Highland Haven TX 78654-8269
Phone: 830-265-4366 Fax: 512-366-9721

MINUTES – PLANNING & ZONING COMMISSION SPECIAL MEETING

DATE: August 25, 2025

TIME: 1:00 PM

PLACE: Highland Haven City Hall, 510 Highland Drive, Suite A, Highland Haven, TX

1. Open meeting and Roll Call to Establish Quorum – **Jackie Garrow called the meeting to order at 1:00 PM.**

Jackie Garrow, Chair	✓Present	☐ Absent
Lorinda Peters, Vice Chair	✓Present	☐ Absent
Linda Ray, Secretary	✓Present	☐ Absent
Connie Smith	✓Present	☐ Absent
John Novak	✓Present	☐ Absent

2. Pledge of Allegiance – **Jackie Garrow led the Pledge of Allegiance**
3. Recognize visitors – **Todd Holland and Christina Holland**
4. Public Comment

(At this time, any person with business before the P&Z Commission not scheduled on the agenda may speak to the Commission. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called.)

There were no public comments.

ACTION ITEMS

5. Public Hearing – Replat request to replat all of Lot 262 and portions of Lots 261 and 263, combining into a single Lot 261-R-1.

The public hearing opened at 1:02 PM.

Todd Holland presented the replat request to the Planning and Zoning Commission.

The public hearing closed at 1:20 PM.

6. Discussion with Possible Action – Recommend to Board of Aldermen to approve or deny the request to replat all of Lot 262 and portions of Lots 261 and 263, combining into a single Lot 261-R-1.

Lorinda Peters made a motion to accept the replat request, seconded by Linda Ray.

Vote: 5-0

INFORMATION ITEMS

7. P&Z Commission Member Comments.
8. Next Regular Meeting date September 11, 2025.
9. Items to be considered for the next agenda must be received by the Chair on or before 12 noon CDT, September 3, 2025.

Motion to adjourn made by Connie Smith, seconded by John Novak.

Vote: 5-0

10. Adjournment.

The meeting adjourned at 1:22 PM.

Jackie Garrow, Chair

Sarah Collard, City Secretary





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Phone: 830-265-4366 Fax: 512-366-9721

AGENDA – TOWN HALL #1 FOR COMPREHENSIVE PLAN

DATE: September 25, 2025

TIME: 6:00 PM

PLACE: Highland Haven Community Center, 118 Blackbird, Highland Haven, TX 78654

1. Open meeting and Introduce Planning and Zoning Commission and City Administrator
2. Administrative Items
 - a. Food Plan
 - b. Restrooms
3. Purpose of Meeting
 - a. Comprehensive Plan
 - i. What it is
 - ii. Why it's needed
 - iii. What's the Process
 - b. Where are we now
 - c. What comes next
4. Basic Ground Rules of Town Hall Meeting
 - a. Open Forum
 - b. No or Limited Debate (all constructive feedback welcome)
 - c. Meeting will last no longer than 1.5 hours
 - d. What to expect:
 - i. Focus on shared interests from Survey Results
 - ii. Every has the chance to comment
 - iii. Feedback/comments to help direction of Comprehensive Plan
 - e. What not to expect:
 - i. Answers to all questions
 - ii. Refined projects or plans
 - iii. Immediate budgetary accommodations
5. Food
6. Overview
 - a. 2004 and 2014 Comprehensive Plan
 - b. 2025 Community Survey
 - c. Identify New Items or Changes to Current Plan
7. Topic One: Community Vision and Values
 - a. Handout
 - b. What does our current Comprehensive Plan say
 - c. What do our survey results say
 - d. Identify new items or changes
 - e. Discussion/Questions
8. Topic Two: Community Involvement and Communication
 - a. Handout
 - b. What does our current Comprehensive Plan say
 - c. What do our survey results say
 - d. Identify new items or changes
 - e. Discussion/Questions
9. Topic Three: Housing
 - a. Handout
 - b. What does our current Comprehensive Plan say
 - c. What do our survey results say
 - d. Identify new items or changes
 - e. Discussion/Questions
10. Topic Four: Growth and Development

11.
 - a. Handout
 - b. What does our current Comprehensive Plan say
 - c. What do our survey results say
 - d. Identify new items or changes
 - e. Discussion/Questions
12. Open Comments
13. Next meeting scheduled for Thursday October 23, 2025 at 6 p.m. at the Community Center
14. Close Meeting

Agenda posted on September 19, 2025

CERTIFICATION OF POSTING

I, SARAH COLLARD, CERTIFY THAT THE FOREGOING AGENDA HAS BEEN POSTED AT HIGHLAND HAVEN CITY HALL, 510 HIGHLAND DRIVE, SUITE A; HIGHLAND HAVEN, TX, ON THE INDOOR AND OUTDOOR NOTICE BOARDS OF CITY HALL, WHICH ARE CONVENIENTLY ACCESSIBLE TO THE PUBLIC AT ALL TIMES, AND THE CITY WEBSITE AT [WWW. HIGHLANDHAVENTX.COM](http://WWW.HIGHLANDHAVENTX.COM) ON THE 3rd DAY OF JULY, 2025, AND REMAINED SO POSTED FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.

Sarah Collard, City Secretary





COMPREHENSIVE PLAN TOWN HALL #1

**COMMUNITY
VISION & VALUES**

**COMMUNITY
INVOLVEMENT &
COMMUNICATION**

HOUSING

**GROWTH &
DEVELOPMENT**

QUESTIONS TO CONSIDER

- What do you like best about Highland Haven?
- Where do you see the community in 5 to 10 years?
- What would make you feel involved in city decisions or direction?
- What is the best way for the city to communicate with you?
- What are your feelings towards growth and development in the community?



CURRENT COMPREHENSIVE PLAN

Highland Haven's 2014 comprehensive plan emphasized a quiet, semi-rural retirement/recreational community with controlled growth and limited development.

VISION & VALUES	COMMUNICATION & INVOLVEMENT	HOUSING	GROWTH & DEVELOPMENT
Residents prioritized a peaceful atmosphere, Lake LBJ proximity, minimal traffic, low taxes, and opposition to short-term rentals, multi-family and manufactured housing. Strong resistance to commercial (75% disapproved) and multi-family (66% opposed) development.	Briefly and vaguely addressed, with no clear strategies for engagement or communication.	Single family residences only. No multi-family dwellings and no manufactured homes. Architectural standards defined by ordinances, and opposition to smaller square footage.	Focused on limited number of open areas within city limits. No commercial zoning ordinance. Districts A, D for Single Family Residences, District B for Mixed-Use and Industrial, District C for Agricultural, and District X vaguely for Commercial.

2025 SURVEY RESULTS

The 2025 survey shows continuity in priorities but highlights shifts and new challenges.

VISION & VALUES	COMMUNICATION & INVOLVEMENT	HOUSING	GROWTH & DEVELOPMENT
98% of respondents feel safe in the community 78% value the quiet residential atmosphere 71% value the proximity to Lake LBJ 57% see groundwater availability as a major challenge for the future 56% see maintaining infrastructure as a major challenge for the future - Comments support protecting the existing values and character of the city	87% of respondents prefer email communication for city updates 31% feel involved in city decision-making processes 40% feel neutral about their involvement in city decision-making processes 29% do not feel involved in city decision-making processes - Various opinions presented on how to improve communication - Confusion about roles and responsibilities of the City vs. the HHPOA	75% prioritize preserving the existing neighborhood character 76% say single-family residences are sufficient 14% approve of multi-family housing - Multiple comments opposing short-term rentals and accessory dwelling units (1 house per lot) - Legislative impacts on local control of housing (accessory dwelling units, short-term rentals and manufactured homes)	35% support commercial development along the highway at entrance to community 30% neutral on commercial development along the highway at entrance to community 35% oppose commercial development along the highway at entrance to community 48 comments on commercial development within city limits, ranging from support to opposition

QUESTIONS FOR FEEDBACK

Below are questions developed for each section designed to elicit more feedback from the community for these items in the Comprehensive Plan.

VISION & VALUES	COMMUNICATION & INVOLVEMENT	HOUSING	GROWTH & DEVELOPMENT
- What are your priorities for commercial development? - If state laws limit local control, what alternatives should the city explore? - Would you support higher taxes vs. other revenue sources for city priorities?	- How should we prioritize items for communication? Preferred format? - How can we clarify the roles of the City and HHPOA? - How can we encourage more participation?	- Is resistance to multi-family housing specific to type? - How should the city manage now state mandated allowance of manufactured homes? - What are your thoughts on short-term rentals?	- What types of commercial development are acceptable? - Should the city seek out commercial developers for property along the highway?



AGENDA – TOWN HALL #1 FOR COMPREHENSIVE PLAN

DATE: October 23, 2025

TIME: 6:00 PM

PLACE: Highland Haven Community Center, 118 Blackbird, Highland Haven, TX 78654

1. Open meeting and Introduce Planning and Zoning Commission and City Administrator
2. Administrative Items
 - a. Food Schedule
 - b. Restrooms
3. Purpose of Meeting
 - a. Comprehensive Plan
 - i. What it is
 - ii. Why it's needed
 - iii. What's the Process
 - b. Where are we now
 - c. What comes next
4. Basic Ground Rules of Town Hall Meeting
 - a. Open Forum
 - b. No or Limited Debate (all constructive feedback welcome)
 - c. Meeting will last no longer than 1.5 hours
 - d. What to expect:
 - i. Focus on shared interests from Survey Results
 - ii. Every has the chance to comment
 - iii. Feedback/comments to help direction of Comprehensive Plan
 - e. What not to expect:
 - i. Answers to all questions
 - ii. Refined projects or plans
 - iii. Immediate budgetary accommodations
5. Food
6. Overview
 - a. 2004 and 2014 Comprehensive Plan
 - b. 2025 Community Survey
 - c. Identify New Items or Changes to Current Plan
7. Topic One: Water Infrastructure
 - a. Handout
 - b. What does our current Comprehensive Plan say
 - c. What do our survey results say
 - d. Identify new items or changes
 - e. Discussion/Questions
8. Topic Two: Road Infrastructure
 - a. Handout
 - b. What does our current Comprehensive Plan say
 - c. What do our survey results say
 - d. Identify new items or changes
 - e. Discussion/Questions
9. Topic Three: Stormwater Infrastructure
 - a. Handout
 - b. What does our current Comprehensive Plan say
 - c. What do our survey results say
 - d. Identify new items or changes
 - e. Discussion/Questions
10. Topic Four: City Services

- a. Handout
 - b. What does our current Comprehensive Plan say
 - c. What do our survey results say
 - d. Identify new items or changes
 - e. Discussion/Questions
11. Open Comments
12. Next meeting scheduled for Thursday November 20, 2025 at 6 p.m. at the Community Center
13. Close Meeting

Agenda posted on October 17, 2025

CERTIFICATION OF POSTING

I, SARAH COLLARD, CERTIFY THAT THE FOREGOING AGENDA HAS BEEN POSTED AT HIGHLAND HAVEN CITY HALL, 510 HIGHLAND DRIVE, SUITE A; HIGHLAND HAVEN, TX, ON THE INDOOR AND OUTDOOR NOTICE BOARDS OF CITY HALL, WHICH ARE CONVENIENTLY ACCESSIBLE TO THE PUBLIC AT ALL TIMES, AND THE CITY WEBSITE AT [WWW. HIGHLANDHAVENTX.COM](http://WWW.HIGHLANDHAVENTX.COM) ON THE 3rd DAY OF JULY, 2025, AND REMAINED SO POSTED FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING PURSUANT TO THE TEXAS GOVERNMENT CODE SECTION 551.

Sarah Collard, City Secretary





COMPREHENSIVE PLAN TOWN HALL #2

INFRASTRUCTURE & SERVICES

QUESTIONS TO CONSIDER

- What has the city identified as Capital Projects for the Water System?
- How does the Groundwater District affect the Water System?
- How does the City currently maintain roads?
- What kind of roads would you like in the City?
- What is a Stormwater Management Program?



CURRENT COMPREHENSIVE PLAN

Highland Haven's 2014 comprehensive plan emphasized a quiet, semi-rural retirement/recreational community with controlled growth and limited development.

WATER INFRASTRUCTURE	ROAD INFRASTRUCTURE	STORMWATER INFRASTRUCTURE	CITY SERVICES
The City purchased the water system in 2009 and operates it as a City Utility. A real plus for a City our size is to control it's own water supply. The City should look to own the property two of it's wells sit on. Water rates should accommodate depreciation.	Plans centered upon the entrance of Highland Haven, widening CR 125, and building a bridge to replace the low water crossing. Need to add an additional entrance/exit to City. Wanted to add flashing light to entrance of community.	Projects to manage stormwater runoff and improve drainage within the City were undertaken from 2007-2011. A large project was heavily funded by FEMA in 2009-2010 to address issues from the 2007 flood.	The City contracts with the Granite Shoals Volunteer Fire Department and Marble Falls Area Emergency Services to provide Fire and EMS response to residents. The City does not have it's own Police service.

2025 SURVEY RESULTS

The 2025 survey shows continuity in priorities but highlights shifts and new challenges.

WATER INFRASTRUCTURE	ROAD INFRASTRUCTURE	STORMWATER INFRASTRUCTURE	CITY SERVICES
- Groundwater availability was the highest ranked (58%) answer to biggest challenges facing the City - Water supply and availability was the highest ranked (72%) answer to important infrastructure improvements - Groundwater management was the highest ranked (76%) answer to environmental issues facing the City - Concern for conserving water vs. new development in City	82% cited roads as very important or somewhat important - Several comments about roads noted in survey, though not specific - Comments about increased traffic causing issues with roads - Currently we rely on interlocal agreement with county for majority of roadwork and repairs - Comments noted issues with corners and road edging	41% cited stormwater management as an environmental issue facing the City - Some older homes constructed in lower lying areas are subject to flooding from stormwater runoff - No comments made about stormwater runoff - City faced stormwater runoff issues in May of 2025, after the survey was completed	- Fire hydrants mentioned as a need in the community - Traffic control and law enforcement presence were mentioned in multiple comments - Emergency evacuation routes mentioned in comments

QUESTIONS FOR FEEDBACK

Below are questions developed for each section designed to elicit more feedback from the community for these items in the Comprehensive Plan.

WATER INFRASTRUCTURE	ROAD INFRASTRUCTURE	STORMWATER INFRASTRUCTURE	CITY SERVICES
- What is the purpose of the Water Investment Bond? - How do we balance conservation with development? - How do we address concerns of water access (lake/well water)?	- What is the expectation of community road maintenance/replacement? - Would you be in favor of a city-wide program for controlling vegetative growth along streets? - Would residents be in favor of a bond for street improvements?	- How do we create a stormwater management program? - How can the city manage stormwater runoff? - How can the city control stormwater runoff in new development areas?	- What steps must the city take in order to provide fire hydrants to the community? - How can the city ease concerns about traffic control and enforcement?

Annual City Audits: S.B. 1851

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Ballot Proposition Language: S.B. 506 and S.B. 1025

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Bidding Threshold: S.B. 1173

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Bond and Property Tax Reporting: H.B. 103 and H.B. 3526

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Code Enforcement: H.B. 4765 and S.B. 1367

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Councilmember Right of Access: H.B. 4310

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Cybersecurity and AI Training: H.B. 150 and H.B. 3512

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Development Moratoria: H.B. 2559

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Disannexation: S.B. 1844

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Emergency Service Districts Disannexation: S.B. 2965

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Extraterritorial Jurisdiction: H.B. 2512 and S.B. 1566

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Manufactured Housing: S.B. 785

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

New Requirements for Impact Fees: S.B. 1883

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

No-Impact Home-Based Business Regulations: H.B. 2464

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Notice Required for Exclusive Solid Waste Franchise Agreements: H.B. 5057

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Open Meetings Act: H.B. 1522 and H.B. 3711

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Property Tax Reform: H.B. 9, S.B. 1453, S.B. 1023, H.B. 30

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Public Notice in Digital Newspapers: S.B. 1062

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Public Info. Act Changes: H.B.4212, H.B.4219, H.B.1893, S.B.765, H.B.2788, and H.B.3112

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Third-Party Review of Home Backup Power Installations: S.B. 1202

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Utilities: H.B. 29, H.B. 685, H.B. 1318, and H.B. 1991

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Water Funding and Planning: S.B. 7, S.B. 480, and S.B. 1261

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

Zoning Notice and Protest Procedures: H.B. 24 and H.B. 4506

- ☐ Ordinance Addition
- ☐ Ordinance Change
- ☐ Policy Update/Review
- ☐ Does not apply

2025 Legislative Changes Affecting City of Highland Haven

Highland Haven Home-Based Business Ordinance – Updating 9.02.004 (y) to comply with HB 2464

Section y. Home-Based Businesses

(1) Applicability

Home-based businesses are permitted in all SFR1 and SFR2 zoning districts, per Texas HB 2464, provided they comply with the regulations in this section.

(2) Permitted Uses

Home-based businesses include, but are not limited to, activities such as real estate, yard care, landscaping, seamstress/sewing, accounting, home maintenance, plumbing, electrical, carpentry, painting, or similar low-impact occupations conducted within a residential dwelling or accessory structure.

(3) Regulations

Home-based businesses must comply with the following content-neutral standards to prevent nuisances:

(A) **Traffic and Parking:** The business shall not generate excessive vehicular or pedestrian traffic or parking demand that disrupts the residential character of the neighborhood.

(B) **Noise, Odors, and Hazards:** The business shall not produce excessive noise, odors, vibrations, or other conditions that create a public health or safety hazard.

(C) **Operating Hours:** Business activities involving clients or deliveries shall be limited to reasonable hours (e.g., 8:00 AM to 8:00 PM) to avoid disturbance.

(D) **Exterior Appearance:** Business activities, equipment, or materials shall not be stored or displayed outside the dwelling or accessory structure in a manner that creates visual clutter or detracts from the residential character, except as permitted for signage.

(E) **Employees:** Non-resident employees are permitted, provided they do not create excessive traffic or parking issues.

(F) **Vehicles:** Vehicles used for the business must comply with the city's vehicle ordinance.

(4) Signage

One sign, not larger than 24" x 36", may be displayed on the lot where the home-based business operates, located inside the property's boundary lines, advertising the business, per Section D(v) of this ordinance. The sign must be of professional quality, securely affixed, and may not create nuisances (e.g., excessive lighting or traffic obstruction).

Festive adornments (e.g., balloons, streamers, flags) are permitted, provided they do not create safety hazards or visual clutter.

(5) Permits and Fees

No permits or fees are required for home-based businesses, per Texas HB 2464, unless the business creates a verifiable nuisance requiring municipal oversight.

(6) Enforcement

Violations of this section may result in fines or civil penalties as authorized by Texas Local Government Code, Section 211.012. Residents may request a variance for non-compliant businesses through a public hearing, per Section 9.02.005 of this ordinance, demonstrating that the business does not create nuisances or safety hazards.

Highland Haven Cottage Food Ordinance – Compliance with SB 541

Section z. Cottage Food Production Operations

(1) Applicability

Cottage food production operations, as defined by Texas Health and Safety Code, Chapter 437, are permitted in all SFR1 and SFR2 zoning districts, per Texas SB 541 (effective September 1, 2025). These operations involve the production and sale of foods in a home kitchen, excluding meat, poultry, seafood, low-acid canned goods, THC/CBD products, raw milk products, and ice/frozen desserts.

(2) State Compliance

Cottage food operations must comply with Texas Health and Safety Code, Chapter 437, including:

- (A) Completing an accredited food handler training program per Chapter 438.
- (B) Packaging and labeling foods to prevent contamination, with labels including the operation's name and address (or DSHS identifier), product name, major allergens, and required statements (e.g., "THIS PRODUCT WAS PRODUCED IN A PRIVATE RESIDENCE AND IS NOT SUBJECT TO GOVERNMENTAL LICENSING OR INSPECTION").
- (C) Limiting annual gross sales to \$150,000 (adjusted for inflation) as of September 1, 2025.
- (D) Adhering to sanitary sampling rules for events, per Texas Health and Safety Code, Section 437.020.

(3) Local Regulations

Cottage food operations are exempt from local permits, fees, or production regulations, per Texas SB 541. However, to prevent nuisances, operations must comply with the following:

- (A) **Traffic and Parking:** Sales or deliveries shall not generate excessive vehicular or pedestrian traffic or parking demand that disrupts the residential character of the neighborhood.

(B) **Noise and Odors:** Operations shall not produce excessive noise, odors, or other conditions that create a public health or safety hazard.

(C) **Operating Hours:** Client visits or deliveries shall be limited to reasonable hours (e.g., 8:00 AM to 8:00 PM) to avoid disturbance.

(D) **Exterior Appearance:** Equipment or materials shall not be stored or displayed outside the dwelling or accessory structure in a manner that creates visual clutter, except as permitted for signage.

(4) Signage

One sign, not larger than 24" x 36", may be displayed on the lot where the cottage food operation is located, inside the property's boundary lines, advertising the operation, per Section D(v) of this ordinance. The sign must be of professional quality (e.g., legible, durable, securely affixed, free of damage, not handwritten) and may not create nuisances (e.g., excessive lighting or traffic obstruction). Festive adornments (e.g., balloons, streamers, flags) are permitted, provided they do not create safety hazards or visual clutter.

(5) Enforcement

Violations of this section may result in fines or civil penalties as authorized by Texas Local Government Code, Section 211.012. Residents may request a variance for non-compliant operations through a public hearing, per Section 9.02.005, demonstrating that the operation does not create nuisances or safety hazards. Complaints against cottage food operations shall be recorded by the city, per Texas Health and Safety Code, Chapter 437.

Highland Haven Impact Fee Ordinance – To comply with SB 1883

Section aa. Impact Fees for New Development

(1) Purpose

Impact fees are established to fund the proportional share of capital improvements necessitated by and attributable to new development, including water treatment and distribution, wastewater treatment and collection, and roadway facilities, per Texas Local Government Code, Chapter 395, as amended by SB 1883 (effective September 1, 2025).

(2) Definitions

(A) **Capital Improvements Plan (CIP):** A plan identifying capital improvements or facility expansions needed to serve new development, including projected costs and timelines.

(B) **Impact Fee:** A charge imposed on new development to fund off-site capital improvements or expansions necessitated by and benefiting the development.

(C) **Land Use Assumptions (LUAs):** Projections of population, housing units, and non-residential growth over a 10-year period, spatially allocated to designated service areas.

(D) **New Development:** Any activity involving construction, reconstruction, or expansion of a building or structure that increases demand for public infrastructure.

(3) Applicability

Impact fees may be assessed on new development in designated service areas within Highland Haven to fund eligible capital improvements, including water, wastewater, and roadway facilities. Fees shall not be imposed for existing development or improvements unrelated to new development.

(4) Impact Fee Advisory Committee (IFAC)

(A) The city shall establish an IFAC to review and provide recommendations on LUAs, CIPs, and proposed impact fees.

(B) The IFAC shall consist of three members appointed by the Board of Aldermen, with at least two members (50% or more) representing the real estate, development, or building industries (e.g., realtors, contractors, developers), per Texas Local Government Code, Section 395.058. Members may include non-residents if insufficient qualified residents are available.

(C) Neither the Board of Aldermen nor the Planning and Zoning Commission shall serve as the IFAC, per Section 395.058(d).

(D) The IFAC shall file written comments on proposed impact fees at least five business days before the public hearing on fee imposition.

(5) Adoption Process

(A) Land Use Assumptions and Capital Improvements Plan:

- The city shall prepare LUAs and a CIP, projecting growth and infrastructure needs over a 10-year period, per Texas Local Government Code, Section 395.042.
- At least 60 days before the first publication of the public hearing notice, the city shall make publicly available the LUAs, CIP, projection time period, and a description of proposed capital improvements, per Section 395.043.
- A public hearing shall be held to review the LUAs and CIP, with notice published per state law.

(B) Impact Fee Imposition:

- Within 30 days after the public hearing, the Board of Aldermen shall approve or disapprove the imposition of an impact fee by a two-thirds supermajority vote, per Section 395.051.
- An independent financial audit shall be conducted before adopting or increasing impact fees to justify the fee amount.

- The ordinance imposing impact fees shall not be adopted as an emergency measure.

(C) **Fee Schedule:** The ordinance shall specify the maximum allowable impact fee per service unit (e.g., per dwelling unit or square footage) and may include a collection schedule allowing phased-in fees up to the maximum over a period not exceeding 10 years.

(6) Limitations on Fee Increases

(A) Impact fees shall not be increased for three years from the date of adoption or the most recent increase, unless the increase is part of a scheduled or stepped increase described in the adopting ordinance, per Texas Local Government Code, Section 395.0515.

(B) Updates to LUAs and CIPs shall occur at least every five years, with a public hearing held within 120 days of receiving updates, per Section 395.053.

(7) Collection and Use

(A) Impact fees shall be collected at the time of building permit issuance or as specified in the ordinance.

(B) Fees shall be used only for capital improvements listed in the CIP within the service area where collected, per Chapter 395.

(C) Administrative costs of operating the impact fee program and debt service for eligible projects may be included in fee calculations.

(8) Signage for Development Projects

Signage for projects subject to impact fees shall comply with Section D(iii) (Contractor Signs) or Section D(v) (Home-Based Business Signs) of this ordinance, as applicable, ensuring professional quality and compliance with aesthetic and safety standards.

(9) Enforcement and Variances

(A) Violations of this section may result in fines or civil penalties, per Texas Local Government Code, Section 211.012.

(B) Developers may request variances through a public hearing, per Section 9.02.005, demonstrating that the fee imposes an undue hardship or is not necessitated by the development.

Highland Haven SFR-2 Zoning Ordinance – To comply with SB 785 and SB 1341

District D: Single-Family Residential 2 (SFR-2)

(1) Area

The SFR-2 zoning district consists of three tracts of 1.31, 3.32, and 3.64 acres, formerly designated as Property Development District #1 (PDD#1). Grandfathered structures and uses on the 1.31-acre tract are governed by city Ordinance #055 (Dissolution of PDD#1).

(2) Use Regulations

(A) The SFR-2 zoning district is restricted to single-family residential uses, including site-built homes and HUD-code manufactured homes, subject to the standards below, per Texas Occupations Code, Chapter 1201, as amended by SB 785 and SB 1341 (effective September 1, 2025).

(B) Accessory uses, such as home-based businesses and cottage food operations, are permitted per Sections y and z of this ordinance.

(C) Tracts of 2 acres or more may construct one additional outbuilding and stable up to two horses, subject to applicable health and safety regulations.

(3) Development Standards

All dwellings in SFR-2, including site-built and HUD-code manufactured homes, shall comply with the following standards to ensure non-discriminatory treatment and maintain neighborhood character:

(A) Lot Size and Frontage:

- Minimum lot size: 1 acre (43,560 square feet).
- Minimum street/road frontage: 100 feet.

(B) Setbacks:

- Front setback: 25 feet from the property line.
- Side setback: 10 feet from each side property line.
- Rear setback: 15 feet from the rear property line.

(C) **Height:** Maximum height of 35 feet or two stories, whichever is less.

(D) Permanent Foundation:

- All dwellings shall be installed on a permanent foundation system (e.g., concrete slab, pier-and-beam) meeting local building codes for site-built homes or federal HUD standards (24 CFR Part 3285) and state rules (25 TAC Chapter 80) for manufactured homes, per Texas Occupations Code, Section 1201.101(d).

(E) Aesthetic Requirements:

- **Skirting:** HUD-code manufactured homes shall have skirting around the base, made of durable materials (e.g., brick, stone, cement board) that match or complement the exterior, fully enclosing the space between the home and the ground. Site-built homes shall maintain equivalent aesthetic standards.
- **Roofing:** Roofs shall have a minimum pitch of 3:12 and be covered with non-reflective materials (e.g., asphalt shingles, metal roofing) consistent with neighborhood standards.

- **Siding:** Exterior siding shall be of durable, non-reflective materials (e.g., brick, stone, fiber cement, vinyl) matching the aesthetic character of SFR-2.
- (F) **Utilities:** Dwellings shall connect to city-approved water, wastewater, and electrical systems, meeting all applicable codes.
- (G) **Parking:** A minimum of two off-street parking spaces shall be provided, paved with concrete or asphalt, consistent with neighborhood standards.
- (H) **Landscaping:** Lots shall include landscaping (e.g., grass, shrubs, trees) covering at least 30% of the front yard to maintain neighborhood aesthetics.

(4) HUD-Code Manufactured Home Installation

(A) Installation of HUD-code manufactured homes shall be performed by a licensed installer, per Texas Occupations Code, Section 1201.101(d), and comply with federal HUD standards (24 CFR Part 3285) and state rules (25 TAC Chapter 80).

(B) Installers shall provide written disclosures to the homeowner regarding installation standards before work begins, per Section 1201.153.

(C) The city may inspect installations to ensure compliance with foundation, anchoring, and stabilization standards, consistent with inspections for site-built homes.

(D) HUD-code manufactured homes are prohibited in historic districts or on properties with deed restrictions predating January 2, 2025, per Section 1201.008.

(5) Signage

Signage for construction, sales, or related businesses (e.g., manufactured home installation services) in SFR-2 shall comply with Section D(iii) (Contractor Signs) or Section D(v) (Home-Based Business Signs) of this ordinance, requiring professional quality (e.g., legible, durable, not handwritten) and compliance with aesthetic and safety standards.

(6) Enforcement and Variances

(A) Violations of this section may result in fines or civil penalties, per Texas Local Government Code, Section 211.012.

(B) Property owners may request variances through a public hearing, per Section 9.02.005, demonstrating that the regulation imposes an undue hardship or is not necessitated by the development.

Highland Haven Certificate of Occupancy Ordinance – To comply with HB 4753

Section cc. Certificates of Occupancy

(1) Purpose

This section establishes requirements for certificates of occupancy (COs) and provisional COs to ensure structures in Highland Haven are safe, habitable, and compliant with building codes and ordinances, per Texas Local Government Code, Chapter 214, as

amended by HB 4753 (effective September 1, 2025). It also mandates a publicly accessible CO database to enhance transparency.

(2) Definitions

(A) **Certificate of Occupancy (CO):** A document issued by the city certifying that a structure or portion thereof has been inspected and complies with all applicable building codes, zoning ordinances, and safety standards for its intended use, including residential, commercial, or mixed-use purposes.

(B) **Provisional Certificate of Occupancy:** A temporary document issued by the city for a structure deemed safe for limited use (e.g., storage or staging for sale) but with minor outstanding issues that must be resolved before a full CO is issued. Overnight occupancy is prohibited under a provisional CO.

(C) **HUD-Code Manufactured Home:** A structure constructed on or after June 15, 1976, according to federal HUD standards (24 CFR Part 3280), installed per 24 CFR Part 3285 and 25 TAC Chapter 80, per Texas Occupations Code, Section 1201.003.

(D) **Service Area:** The geographic area within Highland Haven designated for specific infrastructure improvements, per Section aa (Impact Fees).

(3) Applicability

(A) A CO is required for:

- All new or remodeled single-family residences (site-built or HUD-code manufactured homes) in SFR-1 and SFR-2 zoning districts.
- All commercial buildings or lease spaces within commercial buildings.
- Multi-family residences with four or more units, if applicable.
- Any structure undergoing a change of use or occupancy classification.

(B) A CO is not required for single-family residences or duplexes existing before September 1, 2025, unless they undergo remodeling or a change of use.

(C) HUD-code manufactured homes in SFR-2 shall not require a CO process stricter than that for site-built homes, per Texas Occupations Code, Section 1201.008(d-1).

(D) Properties in historic districts or with deed restrictions predating January 2, 2025, prohibiting certain uses (e.g., manufactured homes) are subject to CO requirements only for permitted uses, per Section 1201.008.

(4) CO Requirements

(A) **Application:** Property owners or their agents shall submit a CO application to the city, including:

- Property address and legal description.

- Intended use (e.g., residential, commercial).
- Building plans and specifications, if applicable.
- Proof of compliance with building codes and zoning ordinances (e.g., SFR-2 standards in District D).
- For HUD-code manufactured homes, proof of licensed installation per 24 CFR Part 3285 and 25 TAC Chapter 80.

(B) **Inspection:** The city shall conduct a visual inspection to verify compliance with:

- Building codes (e.g., International Residential Code for single-family homes).
- Zoning standards (e.g., lot size, setbacks, aesthetics per District D for SFR-2).
- Safety requirements (e.g., fire protection, structural integrity, utility connections).
- For HUD-code manufactured homes, federal HUD and state installation standards.

(C) **Issuance:** A CO shall be issued within 10 business days of a satisfactory inspection, certifying the structure is safe and compliant for its intended use.

(D) **Fees:** A CO fee of \$25 shall be charged for the initial inspection. A re-inspection fee of \$15 shall apply if violations are identified, consistent with existing practices.

(5) Provisional CO Requirements

(A) **Eligibility:** A provisional CO may be issued for a structure deemed safe for limited use (e.g., storage of personal items or staging for sale) but with minor, non-safety-related issues (e.g., incomplete landscaping, minor aesthetic repairs).

(B) **Conditions:**

- Overnight occupancy is prohibited.
- The provisional CO is valid for 90 days, renewable once for an additional 90 days upon written request and reinspection.
- All outstanding issues must be resolved before a full CO is issued.

(C) **Application and Inspection:** The application and inspection process shall mirror the full CO process, with a focus on ensuring safety for limited use.

(D) **Revocation:** The city may revoke a provisional CO if violations are not corrected within the specified timeframe or if the structure is used for unauthorized purposes (e.g., overnight occupancy).

(6) CO Database

(A) The city shall maintain a publicly accessible database of COs, per Texas Local Government Code, Section 214.211, including:

- COs issued, renewed, or revoked, with issuance/revocation dates and property addresses.
 - CO applications, including status (pending, approved, denied).
 - Inspection reports related to CO issuance, detailing compliance with building codes and ordinances.
 - Compliance status of properties (e.g., full CO, provisional CO, or non-compliant).
- (B) The database shall be available online via the city’s website (e.g., www.highlandhaven.org) or at City Hall, updated within 5 business days of any CO-related action (e.g., issuance, revocation, application update).
- (C) No additional fees shall be charged for database access or maintenance, per HB 4753.

(7) Signage

Signage related to CO inspections or construction (e.g., contractor activities, home-based businesses) shall comply with Section D(iii) (Contractor Signs) or Section D(v) (Home-Based Business Signs) of this ordinance, requiring professional quality (e.g., legible, durable, not handwritten) and compliance with aesthetic and safety standards.

(8) Enforcement and Variances

(A) Failure to obtain a CO before occupying a structure requiring one is a violation of Texas Local Government Code, Section 233.064, and may result in fines or civil penalties, per Section 211.012.

(B) Property owners may request variances for CO requirements through a public hearing, per Section 9.02.005, demonstrating undue hardship or that the requirement is not necessitated by the structure’s use.

Highland Haven Annexation Ordinance – To comply with SB 2965

Section dd. Annexation Procedures

(1) Purpose

This section establishes procedures for annexing areas into Highland Haven’s municipal boundaries, ensuring compliance with Texas Local Government Code, Chapter 43, as amended by SB 2965 (effective September 1, 2025), and promoting transparency, public participation, and provision of municipal services (water, contracted fire, and EMS).

(2) Definitions

(A) **General-Purpose Annexation:** Incorporation of an area into the city’s full municipal boundaries, subjecting it to all city regulations, taxes, and services (water, contracted fire, and EMS).

(B) **Limited-Purpose Annexation:** Incorporation of an area for limited purposes (e.g., sales tax collection under a Strategic Partnership Agreement), with specified services, per Section 43.121.

(C) **Service Plan:** A document detailing municipal services (water connections, contracted fire, and EMS) to be provided to an annexed area, including timelines, per Section 43.056.

(D) **Extraterritorial Jurisdiction (ETJ):** The area within one-half mile of Highland Haven's boundaries, per Section 42.021, where the city has limited regulatory authority.

(3) Applicability

(A) This section applies to general-purpose and limited-purpose annexations within Highland Haven's ETJ or contiguous areas, as permitted by Chapter 43.

(B) Annexations require written property owner consent or voter approval, per Section 43.0117, unless exempted (e.g., road right-of-way annexation per HB 586).

(C) Limited-purpose annexations require a plan to provide full municipal services (water, contracted fire, and EMS) within a specified timeline, per Section 43.121.

(D) Municipal services are limited to water (provided by the city) and contracted fire and EMS, as Highland Haven does not provide wastewater, police, solid waste, or road maintenance.

(4) Annexation Procedures

(A) **Initiation:** Annexation may be initiated by:

- Written request from the property owner(s) or governing body of a political subdivision (e.g., road right-of-way owner, per HB 586).
- The Board of Aldermen, subject to voter approval for general-purpose annexations in areas with residents, per Section 43.0117.

(B) **Service Plan:** For all annexations, the city shall prepare a service plan specifying:

- **Water Service:** Connection to the city's water system within 2 years, ensuring adequate pressure and compliance with Texas Commission on Environmental Quality (TCEQ) standards.
- **Fire and EMS:** Continuation of existing contracts with fire and EMS providers (e.g., Burnet County or regional services), ensuring response times and coverage meet or exceed current standards within 1 year.
- Compliance with zoning (e.g., District D for SFR-2) and certificate of occupancy requirements (Section cc).

- Timelines not exceeding 4.5 years, per Section 43.056.

(C) Public Notice and Hearings:

- For general-purpose annexations, the city shall publish notice in a newspaper of general circulation and post notice in three public places in the area for 10 days, holding two public hearings at least 40 days before the annexation date, per Section 43.0561.
- For limited-purpose annexations, notice shall be provided per the Strategic Partnership Agreement (SPA), identifying water, fire, and EMS services and sales tax terms, per Section 43.121.
- Notice shall include the service plan and annexation boundaries.

(D) Consent or Election:

- General-purpose annexations require written consent from all property owners or a majority vote in an election held in the area, per Section 43.0117.
- Limited-purpose annexations require an SPA with the property owner or governing body, per Section 43.121.

(E) Approval: The Board of Aldermen shall approve annexations by ordinance, adopted by a two-thirds supermajority vote, per Section 43.051.

(F) Certificate of Occupancy: New developments in annexed areas shall obtain a CO per Section cc, ensuring compliance with zoning (e.g., District D for SFR-2) and building codes.

(5) Database Integration

(A) Annexation records, including ordinances, service plans, notices, and election results (if applicable), shall be included in the publicly accessible certificate of occupancy database, per Section cc(6), updated within 5 business days of any action.

(B) The database shall note the annexation type (general or limited-purpose), service plan details (water, fire, EMS), and compliance status.

(6) Signage

Signage for construction or businesses in annexed areas shall comply with Section D(iii) (Contractor Signs) or Section D(v) (Home-Based Business Signs), requiring professional quality (e.g., legible, durable, not handwritten) and compliance with aesthetic and safety standards.

(7) Enforcement and Challenges

(A) Failure to provide water or contracted fire/EMS services per the service plan may result in disannexation proceedings, per Section ee.

(B) Property owners may challenge annexations via district court, per Section 43.141, with the city waiving governmental immunity for such actions, per Section 43.057.

Highland Haven Disannexation Ordinance – To comply with SB 1844

Section ee. Disannexation Procedures

(1) Purpose

This section establishes procedures for disannexing areas from Highland Haven’s municipal boundaries due to failure to provide municipal services (water, contracted fire, or EMS), ensuring compliance with Texas Local Government Code, Chapter 43, as amended by SB 1844 (effective September 1, 2025), and promoting transparency and fairness.

(2) Definitions

(A) **Disannexation:** The removal of an area from the city’s municipal boundaries, restoring it to the extraterritorial jurisdiction (ETJ) or unincorporated status.

(B) **Service Plan:** A document detailing municipal services (water connections, contracted fire, and EMS) promised to an annexed area, per Section 43.056.

(C) **Failure to Provide Services:** The city’s failure to provide water connections (e.g., adequate pressure, TCEQ compliance) or contracted fire/EMS services (e.g., response times, coverage) as specified in the service plan, per Section 43.141.

(3) Applicability

(A) This section applies to areas annexed under Chapter 43 where the city fails to provide water or contracted fire/EMS services per the service plan, per Section 43.141.

(B) Disannexation does not apply to areas with valid Strategic Partnership Agreements (SPAs) providing limited services, unless the SPA is violated.

(C) Since Highland Haven does not provide wastewater service, disannexation petitions based on wastewater connections are not applicable.

(4) Disannexation Petition Process

(A) **Petition Requirements:** A majority of property owners in an annexed area may submit a written petition for disannexation if the city fails to provide water or contracted fire/EMS services per the service plan. The petition shall:

- Request disannexation.
- Be signed in ink or indelible pencil by property owners, with each owner noting their residence address.
- Describe the area to be disannexed, including a plat, survey, or other likeness.

- Specify the service failure (e.g., lack of water connection, inadequate fire/EMS response).
- Be presented to the city secretary.
(B) **Notice:** Before circulating the petition, property owners shall:
 - Post a copy of the petition in three public places in the area for 10 days.
 - Publish a copy in a newspaper of general circulation serving the area before the 15th day prior to circulation, per Section 43.141(f).
- (C) **Public Hearing:** The Board of Aldermen shall hold a public hearing within 30 days of receiving a valid petition, with notice published per Section 43.0561.
- (D) **Resolution:** Within 60 days of the hearing, the Board shall attempt to resolve the service failure (e.g., expedite water connections, renegotiate fire/EMS contracts). If unresolved, the city shall refer the matter to the district court, per Section 43.141.

(5) Court Action

- (A) If the district court finds a valid petition and failure to provide water or contracted fire/EMS services, it shall order disannexation and award attorney's fees to petitioners, per Section 43.141.
- (B) The city waives governmental immunity for such actions, per Section 43.057.
- (C) Cases shall be expedited per Texas Rules of Civil Procedure, per Section 43.141(b).

(6) Database Integration

- (A) Disannexation records, including petitions, notices, hearing outcomes, and court orders, shall be included in the publicly accessible certificate of occupancy database, per Section cc(6), updated within 5 business days of any action.
- (B) The database shall note the disannexation status and compliance with the service plan (water, fire, EMS).

(7) Signage

Signage related to disannexation proceedings (e.g., petition notices) shall comply with Section D(vi) (Other Signs), requiring professional quality (e.g., legible, durable, not handwritten) and compliance with aesthetic and safety standards.

(8) Enforcement

- (A) Failure to comply with disannexation procedures may result in court-ordered remedies, including disannexation, service provision, refunds, or civil penalties, per Section 43.056.
- (B) Property owners may request variances for procedural requirements through a public hearing, per Section 9.02.005, demonstrating undue hardship.

Code Enforcement Ordinance – To comply with HB 4765

Draft Ordinance

Article — Code Enforcement Procedures and Licensing Requirements

Section 1. Purpose

To protect the health, safety, and welfare of the public by establishing clear, license-compliant code enforcement procedures that prioritize voluntary compliance and align with Texas HB 4765 (effective September 1, 2025).

Section 2. Definitions

- **Code Enforcement Officer (CEO):** An individual holding a valid registration under Texas Occupations Code, Chapter 1952. Effective September 1, 2025, only such a registered individual may issue enforcement notices or take enforcement actions. [Texas Legislative OnlineLegiScan](#)
- **Code Enforcement Officer in Training (CEO-T):** An individual engaged in code enforcement under the direct supervision of a registered CEO, as defined under Chapter 1952. [Texas Legislative Online](#)
- **Administrative Contractor:** A person or entity contracted by the City to perform administrative support—such as drafting, processing, or mailing notices—under the direction of a CEO, and not engaging in code enforcement themselves.

Section 3. Licensing Requirement

1. Beginning September 1, 2025, **only** a CEO or properly supervised CEO-T may perform code enforcement tasks, including inspections, issuance of notices, and case follow-up.
2. Any CEO-T must be supervised by a CEO as required under Texas law. [Texas Legislative Online](#)
3. All other participants (e.g., aldermen, administrative staff, contractors) may collect information or perform clerical tasks, but must **not** issue notices or represent themselves as code enforcement officers.

Section 4. Contracted Services

The City may contract with a registered CEO (or a firm employing one) for up to **10 hours per month**, to perform:

- Review of submitted violations (e.g., from aldermen, public reports)
- Inspections, issuance of initial and follow-up notices, compliance monitoring

- Preparation for court referrals, if needed

Alternatively, a CEO-T may be engaged if supervised by a CEO, following all applicable training and oversight requirements under Chapter 1952.

Section 5. Enforcement Process

1. **First Notice (Warning):** A registered CEO may issue a written warning—describing the violation, corrective action, and timeline.
2. **Second Notice:** If violation persists, the CEO may issue a second written notice.
3. **Final Notice and Opportunity for Municipal Court:** If non-compliance continues, the CEO may issue a final notice indicating intent to refer the matter to municipal court.
4. **Court Referral:** The CEO (or City prosecutor) shall initiate proceedings in municipal court if corrective action is not taken within the prescribed timeframe.

All written notices shall include:

- Description of the violation
- Reference to relevant ordinance provisions
- Reasonable compliance deadline
- Information regarding the recipient's right to contest in municipal court
- Statement of escalating consequences (penalties, court costs)

Section 6. Penalties

Violations shall be subject to escalating penalties in accordance with City penalty provisions (e.g., as per Section 1.05.124 of City code). [eCode360](#)

Section 7. Role of Elected Officials and Staff

- Elected officials (e.g., aldermen) may report violations and provide documentation (e.g., photos), but must forward these only to the CEO or administrative support—**no self-initiated enforcement actions permitted.**
- Administrative Contractor may prepare and mail notices **only as directed** by the CEO; cannot independently issue notices or undertake enforcement tasks.

Section 8. Budget and Contract Transparency

The City’s budget shall include an allocation (e.g., “Professional Code Enforcement Services”) for contracted enforcement services, capped at 10 hours/month. All contracts must be approved by City Council and made public—consistent with City financial transparency rules. [eCode360](#)

Section 9. Severability

If any provision of this ordinance is held invalid, the remainder shall continue in full force and effect.

Section 10. Effective Date

This ordinance shall take effect on **[Insert Date]**, and must be fully operational by **September 1, 2025** to ensure compliance with Texas HB 4765.

Energy Back Up System Ordinance – To comply with SB 1202 and SB 1252

Amendment: Energy Backup Systems Permitting & Inspection; Third-Party Reviewer Authority

Section X.00 – Purpose and Applicability

This ordinance ensures compliance with **SB 1202** and **SB 1252** as part of the City’s Local Government Code, by enabling licensed third-party review and inspection of residential backup power installations while prohibiting conflicting local regulation.

Section X.01 – Definitions

- **Residential Energy Backup System (REBS):** As defined by SB 1252, a system that provides no more than 50 kW or has a storage capacity of no more than 100 kWh, installed at a residential property. [Texas Legislative Online](#)
- **Home Backup Power Installation:** As defined by SB 1202, an electric generating or energy storage system (and associated equipment/infrastructure) designed for a one- or two-family dwelling, connected at 600 volts or less. [LegiScancapitol.state.tx.us](#)
- **Third-Party Reviewer:** A person or entity authorized by law under Section 247.002(b) or SB 1202 to conduct plan review or inspection for a home backup power installation without submission or scheduling through the City. [LegiScanTexas Policy Research](#)
- **Municipally Owned Utility:** As defined in Section 11.003, Utilities Code—an exception to SB 1252’s prohibition, retaining local regulatory authority. [Texas Licensing and RegulationTexas Legislative Online](#)

Section X.02 – Prohibited Local Regulation (SB 1252 Compliance)

(a) The City shall not enact or enforce any local amendments to the National Electrical Code, or ordinances, rules, or regulations, governing the installation or inspection of a REBS. [Texas Legislative OnlineTexas Policy Research](#)

(b) This prohibition does not apply to municipally owned utilities regulating REBS within their service area. [Texas Licensing and RegulationTexas Policy Research](#)

Section X.03 – Third-Party Review and Inspection (SB 1202 Compliance)

(a) A Third-Party Reviewer may undertake plan review or inspection of a Home Backup Power Installation without submitting it to the City for review or scheduling. [LegiScanTexas Policy Research](#)

(b) The City shall:

1. Post all relevant laws, rules, standards, and documents necessary for such reviews and inspections on its website; or,
2. Provide an electronic copy within two business days upon request.

[LegiScancapitol.state.tx.us](#)

(c) The City must issue any required approval, permit, or certification **within two business days** of receiving the Third-Party Reviewer's notice.

[capitol.state.tx.usLegiScan](#)

(d) Upon submission of the notice, the installer may **begin construction immediately**, subject to compliance with applicable codes. [capitol.state.tx.us](#)

(e) The City **may not impose additional fees** related to plan review or inspection when done by a Third-Party Reviewer. [capitol.state.tx.usTexas Policy Research](#)

Section X.04 – Implementation Timeline

This ordinance shall take effect on **September 1, 2025**, coinciding with the effective date of SB 1202 and SB 1252.

Section X.05 – Severability

If any provision of this ordinance is judged invalid, the remainder shall continue in full force and effect.

Other Ordinances/Resolutions to Adopt/Edit

- HB 4214 – Annually notify Texas Attorney General regarding public information contacts by October 1, 2025 and each year afterwards.
- HB 1522 – Texas Open Meetings Act update posting procedures (3 business days)
- HB 4219/4310 – Responding to Public Information Requests in 10 days or less whether information is available or not, as well as the authority of elected officials to access public information within their capacity as an elected official
- SB 1023/1025/1453 – Update information about electronic tax submission forms, ballot language for tax increase elections (bonds or property taxes), debt rate calculations
- HB 149/150/3512 – Update regarding cybersecurity and AI procedures and training for staff and elected officials
- SB 1173 – Raising cap on procurement procedures to \$100,000
- TCEQ and CTGCD reporting requirements
- Water Well Ordinance
- Storage Tanks – Create an ordinance