

MEMORANDUM

TO: Claire Powell, City Manager

FROM: Richard E. Luedke, FAICP, Planning Director

DATE: August 3, 2026

SUBJECT: **PUBLIC HEARING:** Consideration of an Ordinance Amending Article III “Development and Zoning Procedures” of Volume II of the Lewisville City Code, Known as the Unified Development Code, by Amending, Chapter III.6, “Zoning Petitions and Procedures” to Clarify and Streamline the Zoning Petition Process, Including Appeals, and Align Notification Procedures With State Statutes, Amending Chapter III.10, “Zoning Regulation Text Amendments and Procedures” to Broaden its Application to all Text Amendments to the Unified Development Code and to Clarify and Streamline the Text Amendment Process, Including Appeals, and Align Notification Procedures With State Statutes; and Deleting Chapter III.11, “Procedures for all Other Text Amendments”; Providing for a Savings Clause, Repealer, Severability, a Penalty, and an Effective Date.

BACKGROUND

In 2025, the state legislature adopted updates to public notification procedures that directly impact local zoning requirements. Specifically, these statutory changes mandate posting public hearing notices on the municipality's website, establish minimum dimensions for physical notification signs posted on properties, and reduce notice requirements for "Comprehensive Zoning Changes" (defined as amendments that apply uniformly to all properties within one or more zoning districts and allow for increased residential construction). Staff has incorporated these changes into department procedures, which are now in compliance with state law.

In addition to ensuring state compliance, staff proposes amendments to streamline local procedures for high-priority items. This includes modifying notice timelines to allow for concurrent advertising of City Council and Planning and Zoning Commission public hearings, thereby expediting the overall approval timeline while fully satisfying all legal notice requirements. It also includes setting out clear procedures when there is protest to a zone change or text amendment and procedures for withdrawing or rescheduling an item.

The Planning and Zoning Commission recommended unanimous approval (7-0) on July 7, 2026.

ANALYSIS

The proposed ordinance updates align with recent state legislation and both streamline and clarify public hearing processes. The key modifications include:

- The addition of requirements for website notice postings and minimum property sign dimensions with state statutes. The text change also allows for noticing exemptions for qualifying comprehensive zoning changes per state statutes. Comprehensive zoning changes are those that apply uniformly across one or more districts with the effect of allowing more housing. While staff anticipates following the standard notice process for comprehensive zoning changes, there may be occasions where this exemption could save substantial taxpayer dollars for amendments or changes.
- The addition of modified text to allow the advertising periods for the Planning and Zoning Commission and City Council hearings to overlap, reducing processing times while maintaining the public notice. The public will still receive the notice for each hearing, and the hearings will be closer together. This timeframe increases burden on staff to turnaround work between meetings. The expedited timeframe will not be used for all projects, but it adds flexibility for when it is appropriate and staff has capacity.
- The merging of the zoning text amendment process with the general text amendment process, to establish a single process for all future Unified Development Code text updates.
- The refinement and clarification of the thresholds that trigger a City Council supermajority vote requirement in the event of property owner protests. Property owner protest of certain thresholds require a supermajority vote per state statute. There has not been a case in recent years that has met those thresholds, but it is wise to have clearer procedures established.
- The addition of provisions for withdrawal of an application or rescheduling of a public hearing. The City Council and the Planning and Zoning Commission have always had the ability to continue a public hearing to a new date or table and readvertise the hearing when a new date is established. Sometimes this is done at the request of the applicant. The amendments clarify that the applicant can request to withdraw or reschedule. Staff will honor that request prior to public notices being published. Once public notices have been published, it will appear on the agenda and the Planning and Zoning Commission or City Council, as applicable, can choose to grant or deny the request. This codifies the process we have been following as the code was silent in this regard

CITY STAFF'S RECOMMENDATION

That the City Council approve the ordinance as set forth in the caption above.