HORIZON CITY

Incorporated 1988

AGENDA
PUBLIC MEETING
REGULAR CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, November 10, 2026, 6:00 PM

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas will be held on **Tuesday, November 10, 2026 at 6:00 PM** at City Council Chambers, 15021 Darrington Road, Horizon City, TX 79928, at which time the following will be discussed and considered:

1. **Call to order; Pledge of Allegiance; Establishment of Quorum**
2. **Open Forum:**

CONSENT AGENDA

All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.

3. **Approval of Minutes from:** **4**
October 13, 2026 Regular City Council Meeting.
4. **Appointment of:**
Mayor/EDC Executive Director
On the appointment of Alejandro Barrio to the Horizon City Economic Development Corporation Board of Directors.
5. **Appointment of:**
Mayor/EDC Executive Director
On the re-appointment of Rafael Padilla to the Horizon City Economic Development Corporation Board of Directors.
6. **Request to Excuse Absent Council Members:**
7. **Approval of Consent Agenda Items:**

REGULAR AGENDA

8. **Discussion and Action:** **9**
Mayor/Planning Director
On a Resolution of the Town Council of the Town of Horizon City, Texas, accepting a property owner request for the expansion of the Town's Extraterritorial Jurisdiction.
9. **Discussion:** **18**
Mayor/Planning Director
1st Reading of Ordinance _____, An Ordinance of the City Council of the Town of Horizon City, Texas, pursuant to Chapter 311 of the Texas Tax Code, creating Tax Increment Financing Reinvestment Zone Number Two, Town of Horizon City, Texas.
10. **Discussion and Action:**
Mayor/CIP Manager
On an update on the Capital Improvement Program.
11. **Public Hearing:**
Mayor/Finance Director

2nd Reading of Ordinance No. 0325 Amendment No. 01, An Ordinance amending Ordinance No. 0325 (Amendment No. 01) of The Town of Horizon City, Adopting the Municipal Budget for the 2027 Fiscal Year, to allow for the budgeting and expenditure of funds in the amount of $16,625.00 transferring funds from the Building Services Department to the Planning Department to provide for the re-alignment of responsibilities and staffing in the departments.; and Providing repealer and severability clauses.

12. **Discussion and Action:** **30**

Mayor/Finance Director

2nd Reading of Ordinance No. 0325 Amendment No. 01, An Ordinance amending Ordinance No. 0325 (Amendment No. 01) of The Town of Horizon City, Adopting the Municipal Budget for the 2027 Fiscal Year, to allow for the budgeting and expenditure of funds in the amount of $16,625.00 transferring funds from the Building Services Department to the Planning Department to provide for the re-alignment of responsibilities and staffing in the departments.; and Providing repealer and severability clauses.

13. **Discussion:** **34**

Mayor/Planning Director

1st Reading of Ordinance _____, An Ordinance creating The Office of the City Engineer for the Town of Horizon City; Designating the City Engineer as a Municipal Officer; Specifying the qualifications and duties for the position; and providing for the following: Findings of fact, Enactment, Repealer, Severability, Effective Date.

14. **Public Hearing:**

Mayor/Planning Director

2nd Reading of Ordinance _____, An Ordinance Amending The Town Of Horizon City Subdivision Ordinance By Repealing And Replacing Chapter 10A Subdivision Ordinance; Section 2.8 Parkland Dedication And Fees In Lieu; Adopting Parkland Dedication Requirements, Fees In Lieu Of Parkland Dedication, Park Development Improvement Fees, Parkland Credits, Private Park Credits For Multifamily Development, Park Facilities Standards And Amending The Subdivision Construction Design Manual To Include The Standards And Revise Cross-Sections; Park Design; Parkland Fund Administration, Refunds, Appeals, Exhibit A Parkland Dedication, Fee In Lieu And Park Development Improvement Fee Schedule And Establishing Parkland Required Standards; Providing For Severability, Repealer, Proper Notice, And Effective Date.

15. **Discussion and Action:** **37**

Mayor/Planning Director

2nd Reading of Ordinance _____, An Ordinance Amending The Town Of Horizon City Subdivision Ordinance By Repealing And Replacing Chapter 10A Subdivision Ordinance; Section 2.8 Parkland Dedication And Fees In Lieu; Adopting Parkland Dedication Requirements, Fees In Lieu Of Parkland Dedication, Park Development Improvement Fees, Parkland Credits, Private Park Credits For Multifamily Development, Park Facilities Standards And Amending The Subdivision Construction Design Manual To Include The Standards And Revise Cross-Sections; Park Design; Parkland Fund Administration, Refunds, Appeals, Exhibit A Parkland Dedication, Fee In Lieu And Park Development Improvement Fee Schedule And Establishing Parkland Required Standards; Providing For Severability, Repealer, Proper Notice, And Effective Date.

16. **Public Hearing:**

Mayor/Planning Director

2nd Reading of Ordinance, _____, An Ordinance Amending Chapter 14A Zoning; Chapter 4 Residential Districts Of The Code Of Ordinances Of The Town Of Horizon City, Texas; Creating A New R-4A (Single-Family Dwelling) Residential District; Establishing Purpose, Applicability, Permitted Uses, Accessory Uses, Development Standards, Design Standards, Parking Requirements, Landscaping Requirements, Compatibility Standards, And Changes To Related Regulations; Providing For Severability; Providing For Repealer; Providing For Proper Notice And Meeting; And Establishing An Effective Date.

17. **Discussion and Action:** **58**

Mayor/Planning Director

2nd Reading of Ordinance, _____, An Ordinance Amending Chapter 14A Zoning; Chapter 4 Residential Districts Of The Code Of Ordinances Of The Town Of Horizon City, Texas; Creating A New R-4A (Single-Family Dwelling) Residential District; Establishing Purpose, Applicability, Permitted Uses, Accessory Uses, Development Standards, Design Standards, Parking Requirements, Landscaping Requirements, Compatibility

Standards, And Changes To Related Regulations; Providing For Severability; Providing For Repealer; Providing For Proper Notice And Meeting; And Establishing An Effective Date.

18. **Public Hearing:**

Mayor/Planning Director

2nd Reading of Ordinance _____, An Ordinance Amending The Town Of Horizon City Master Plan For Parks And Open Space; Adopting The Revised Parks, Recreation And Open Space Master Plan; Providing Findings That The Plan Supports The Town's Comprehensive Plan, Capital Improvement Program, Parkland Dedication Requirements, And Long-Range Recreational Needs; Providing For Severability, Repealer, Proper Notice, And Effective Date; And Directing The Planning Director To Implement The Amended Plan.

19. **Discussion and Action:** **63**

Mayor/Planning Director

2nd Reading of Ordinance _____, An Ordinance Amending The Town Of Horizon City Master Plan For Parks And Open Space; Adopting The Revised Parks, Recreation And Open Space Master Plan; Providing Findings That The Plan Supports The Town's Comprehensive Plan, Capital Improvement Program, Parkland Dedication Requirements, And Long-Range Recreational Needs; Providing For Severability, Repealer, Proper Notice, And Effective Date; And Directing The Planning Director To Implement The Amended Plan.

20. **Presentation:** **70**

Mayor

On a Proclamation recognizing November 10, 2026 as "Purple Heart Day" in the Town of Horizon City.

21. **Executive Session**

The City Council of the Town of Horizon City reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.087 (Economic Development).

Adjournment:

Motion to Adjournment: _____ 2nd _____

Dated this Wednesday, November 4, 2026

By: _____
Elvia Schuller, City Clerk

I, the undersigned authority, hereby certify that the above notice of the Regular City Council Meeting of the Town of Horizon City, Texas is a correct copy of this notice, and that I posted this notice at least three (3) business days preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this Wednesday, November 4, 2026 by 6:00 p.m.

Agenda Removed: _____ Time _____ By _____

In compliance with the Americans with Disabilities Act, the Town of Horizon City will provide for reasonable accommodations for persons attending meetings. Requests for auxiliary aids and services must be made 48 hours prior to this meeting by calling the City Clerk at (915) 852-1046.

MINUTES
AGENDA
PUBLIC MEETING
REGULAR CITY COUNCIL MEETING
THE TOWN OF HORIZON CITY, TEXAS
Tuesday, October 13, 2026, 6:00 PM

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas was held on **Tuesday, October 13, 2026 at 6:00 PM**, at City Council Chambers, 15021 Darrington Road, Horizon City, TX 79928, at which time the following was discussed and considered:

1. **Call to order; Pledge of Allegiance; Establishment of Quorum**

   Meeting called to order at 6:00pm. City Council Member Ruben Mendoza was absent. Quorum established. Deputy City Clerk, Armando Bustillos sat in for City Clerk, Elvia Schuller.

2. **Open Forum:**

   American Legion Member, Gil Kelly spoke about an upcoming Veteran's Day Expto event and thanked City Council for their suppport.

CONSENT AGENDA

All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.

3. **Approval of Minutes from:**
   9/8/26 Regular City Council Meeting.

4. **Request to Excuse Absent Council Members:**

5. **Approval of Consent Agenda Items:**

   A motion was made by Council Member Gardea, seconded by Council Member Quiroz to excuse absent Council Member Mendoza and approve the remainder of the consent agenda. The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

REGULAR AGENDA

6. **Discussion and Action:**
   Mayor/CIP Manager
   On an update on the Capital Improvement Program.

   CIP Manager, Jesse Sanchez spoke regardging this item.

   A motion was made by Council Member Quiroz seconded by Council Member Gardea to accept the report as presented. The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

7. **Discussion and Action:**
Mayor/CIP Manager
On a Resolution authorizing the Mayor to sign an advance funding agreement (AFA) with the Texas Department of Transportation for TA25 Howard Lowe Pedestrian Mall Project after consultation with the City Attorney and Capital Projects Manager.

CIP Manager, Jesse Sanchez spoke regardging this item.

A motion was made by Council Member Quiroz seconded by Council Member Ames to authorize the Mayor to sign an advance funding agreement (AFA) with the Texas Department of Transportation for TA25 Howard Lowe Pedestrian Mall Project after consultation with the City Attorney and Capital Projects Manager. The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

8. **Discussion and Action:**
Mayor/Planning Director
On the Final Subdivision Plat application for Verdancia Unit 3 (Case No. SDF25-0003) to reaffirm approval and to allow recording of the plat prior to the completion of all required improvements secured by sufficient bond and to ratify the Subdivision Construction Agreement between the Town of Horizon City and Hunt Communities GP, LLC authorizing the Mayor to sign the agreement and recording plats. The subject property is legally described as being A Portion Of Land Situated in Section 30, Block 78, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas. Containing 15.399 acres ±. Application submitted by Applicant/Representative: CEA Group.

Planner, David Ruiz and CEA Group Project Engineer, Jorge Grajeda spoke regarding this item.

A motion was made by Council Member Quiroz seconded by Council Member Ames to approve the Final Subdivision Plat application for Verdancia Unit 3 (Case No. SDF25-0003) to reaffirm approval and to allow recording of the plat prior to the completion of all required improvements secured by sufficient bond and to ratify the Subdivision Construction Agreement between the Town of Horizon City and Hunt Communities GP, LLC authorizing the Mayor to sign the agreement and recording plats. The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

9. **Discussion and Action:**
Mayor/Planning Director
On the Final Subdivision Plats application for Verdancia Unit 4 Phase I & II (Case No. SDF26-0002 and SDF26-0003), allow recording of the final plat prior to the completion of all required improvements secured by sufficient bond and to authorize the Mayor to sign the recording plat. Legally described as Being A Portion Of Section 30, Block 78, Township 3, Texas And Pacific Railway Company Surveys, El Paso County, Texas. Containing 86.51-acres ±. Application submitted by Applicant/Representative: CEA Group.

Planner, David Ruiz spoke regarding this item.

A motion was made by Council Member Quiroz seconded by Council Member G. Ortega to approve the Final Subdivision Plats application for Verdancia Unit 4 Phase I & II (Case No. SDF26-0002 and SDF26-0003), allow recording of the final plat prior to the completion of all required improvements secured by sufficient bond and to authorize the Mayor to sign the recording plat. The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

10. **Discussion and Action:**
Mayor/Planning Director
On the Preliminary Subdivision Plat application for Rancho Desierto Bello Unit 20 (Case No. SDP26-0002), legally described as Being A Portion Of Section 43, Block 78, Township 3, Texas And Pacific Railway Company Surveys, El Paso County, Texas. Containing 23.557-Acres ±. Application submitted by Applicant/Representative: TRE & Associates.

Planner, David Ruiz spoke regarding this item.

A motion was made by Council Member Quiroz seconded by Council Member Ames to approve the Preliminary Subdivision Plat application for Rancho Desierto Bello Unit 20 (Case No. SDP26-0002). The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

11. **Discussion and Action:**
Mayor/Planning Director
On the Preliminary Subdivision Plat application for Rancho Desierto Bello Unit 21 (Case No. SDP26-0003), legally described as Being A Portion Of Section 43, Block 78, Township 3, Texas And Pacific Railway Company Surveys, El Paso County, Texas. Containing 21.475-Acres ±. Application submitted by Applicant/Representative: TRE & Associates.

Planner, David Ruiz spoke regarding this item.

A motion was made by Council Member Quiroz seconded by Council Member Gardea to approve the Preliminary Subdivision Plat application for Rancho Desierto Bello Unit 21 (Case No. SDP26-0003). The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

12. **Discussion and Action:**
Mayor/Planning Director
On a Resolution authorizing the Town of Horizon City to sponsor the Veterans Day Expo to be held at Desmond Corcoran Park by waiving the Special Event Permit application fee of $500.00.

Planning Director, Art Rubio and American Legion Member, Gil Kelly spoke regarding this item.

A motion was made by Council Member Gardea seconded by Council Member Avila to approve the resolution authorizing the Town of Horizon City to sponsor the Veterans Day Expo to be held at Desmond Corcoran Park by waiving the Special Event Permit application fee of $500.00. The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

13. **Discussion and Action:**
Mayor/Planning Director
On a Resolution authorizing the Mayor to sign an Interlocal Public Service Transit and Contribution Agreement for Fiscal Year 2027 with the El Paso Area Transportation Services, LGC and to designate Jesse Sanchez as a second alternate board member.

Planning Director, Art Rubio, ETA Executive Director, John Andoh and ETA Operations Manager, Jesus Serna spoke regarding this item.

A motion was made by Council Member Quiroz seconded by Council Member Gardea to approve the resolution authorizing the Mayor to sign an Interlocal Public Service Transit and Contribution Agreement for Fiscal Year 2027 with the El Paso Area Transportation Services, LGC and to designate Jesse Sanchez as a second alternate board member. The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

14. **Discussion:**
Mayor/Planning Director
1st Reading of Ordinance _____, An Ordinance Amending The Town Of Horizon City Subdivision Ordinance By Repealing And Replacing Chapter 10A Subdivision Ordinance; Section 2.8 Parkland Dedication And Fees In Lieu; Adopting Parkland Dedication Requirements, Fees In Lieu Of Parkland Dedication, Park Development Improvement Fees, Parkland Credits, Private Park Credits For Multifamily Development, Park Facilities Standards And Amending The Subdivision Construction Design Manual To Include The Standards And Revise Cross-Sections; Park Design; Parkland Fund Administration, Refunds, Appeals, Exhibit A Parkland Dedication, Fee In Lieu And Park Development Improvement Fee Schedule And Establishing Parkland Required Standards; Providing For Severability, Repealer, Proper Notice, And Effective Date.

Planning Director, Art Rubio spoke regarding this item.

15. **Discussion:**
Mayor/Planning Director
1st Reading of Ordinance, _____, An Ordinance Amending Chapter 14A Zoning; Chapter 4 Residential Districts Of The Code Of Ordinances Of The Town Of Horizon City, Texas; Creating A New R-4A (Single-Family Dwelling) Residential District; Establishing Purpose, Applicability, Permitted Uses, Accessory Uses, Development Standards, Design Standards, Parking Requirements, Landscaping Requirements, Compatibility Standards, And Changes To Related Regulations; Providing For Severability; Providing For Repealer; Providing For Proper Notice And Meeting; And Establishing An Effective Date.

Planning Director, Art Rubio spoke regarding this item.

16. **Discussion:**
Mayor/Planning Director
1st Reading of Ordinance _____**,** An Ordinance Amending The Town Of Horizon City Master Plan For Parks And Open Space; Adopting The Revised Parks, Recreation And Open Space Master Plan; Providing Findings That The Plan Supports The Town's Comprehensive Plan, Capital Improvement Program, Parkland Dedication Requirements, And Long-Range Recreational Needs; Providing For Severability, Repealer, Proper Notice, And Effective Date; And Directing The Planning Director To Implement The Amended Plan.

Planning Director, Art Rubio spoke regarding this item.

Items #17, #18 #19 and #20 were taken after Item #5.

17. **PUBLIC HEARING:**
Mayor/Planning Director
2nd Reading of Ordinance _____, An Ordinance Vacating a 10' Public Utility Easement located at 14207 Desierto Bonito St. in a portion of Lot 59, Block 20, Rancho Desierto Bello Unit 12A, Town of Horizon City, El Paso County, Texas.

Planner, David Ruiz spoke regarding this item. No one from the public spoke.

18. **Discussion and Action:**
Mayor/Planning Director
2nd Reading of Ordinance _____, An Ordinance Vacating a 10' Public Utility Easement located at 14207 Desierto Bonito St. in a portion of Lot 59, Block 20, Rancho Desierto Bello Unit 12A, Town of Horizon City, El Paso County, Texas.

A motion was made by Council Member Gardea seconded by Council Member Ames to approve the Ordinance Vacating a 10' Public Utility Easement located at 14207 Desierto Bonito St. in a portion of Lot 59, Block 20, Rancho Desierto Bello Unit 12A, Town of Horizon City, El Paso County, Texas. The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

19. **Discussion and Action:**
Mayor/Finance Director
On an Engagement Letter with SBNG for auditing services for fiscal year 2026.

Finance Director, Lily Gaytan spoke regarding this item.

A motion was made by Council Member Quiroz seconded by Council Member G. Ortega to approve the Engagement Letter with SBNG for auditing services for fiscal year 2026. The Deputy City Clerk polled the Council: G. Ortega – Aye, Quiroz – Aye, R. Ortega – Aye, Avila – Aye, Ames – Aye, Gardea – Aye, Mendoza – Absent. Motion Passed.

20. **Discussion:**
Mayor/Finance Director
1st Reading of Ordinance No. 0325 Amendment No. 01, An Ordinance amending Ordinance No. 0325 (Amendment No. 01) of The Town of Horizon City, Adopting the Municipal Budget for the 2027 Fiscal Year, to allow for the budgeting and expenditure of funds in the amount of $16,625.00 transferring funds from the Building Services Department to the Planning Department to provide for the re-alignment of responsibilities and staffing in the departments.; and Providing repealer and severability clauses.

Finance Director, Lily Gaytan spoke regarding this item.

21. **Executive Session**
The City Council of the Town of Horizon City reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.087 (Economic Development).

ADJOURNMENT

A motion was made by Council Member Avila and seconded by Council Member G. Ortega to adjourn at 9:18 PM.

Approved this _____ day of _____, 20__.

Attest:

_____
Elvia Schuller, City Clerk

_____
Andres Renteria, Mayor

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS, ACCEPTING A PROPERTY OWNER REQUEST FOR THE EXPANSION OF THE TOWN'S EXTRATERRITORIAL JURISDICTION TO INCLUDE CERTAIN PROPERTY CONTIGUOUS TO THE TOWN'S EXISTING EXTRATERRITORIAL JURISDICTION; PROVIDING FINDINGS OF FACT; PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR AN UPDATED EXTRATERRITORIAL JURISDICTION MAP; AUTHORIZING THE TOWN ADMINISTRATOR OR DESIGNEE TO TAKE NECESSARY ADMINISTRATIVE ACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Horizon City, Texas (the "Town"), is a duly incorporated municipality operating under the laws of the State of Texas; and

WHEREAS, Chapter 42 of the Texas Local Government Code establishes and governs the extraterritorial jurisdiction ("ETJ") of municipalities in the State of Texas; and

WHEREAS, Texas Local Government Code §42.022(b) provides that the ETJ of a municipality may expand beyond the distance limitations imposed by Texas Local Government Code §42.021 to include an area contiguous to the otherwise existing ETJ of the municipality if the owners of the area request the expansion; and

WHEREAS, _____ ("Property Owner"), being the owner of the property described and depicted in Exhibits "A" and "B," attached hereto and incorporated herein for all purposes (the "Property"), has submitted a written request that the Property be included within the ETJ of the Town of Horizon City pursuant to Texas Local Government Code §42.022(b); and

WHEREAS, the Property contains approximately _____ acres of land situated in El Paso County, Texas, and is more particularly described by metes and bounds in Exhibit "A" and depicted on the map attached as Exhibit "B"; and Exhibit "C" property owner request; and

WHEREAS, the Town Council finds that the Property is contiguous to the otherwise existing ETJ of the Town as required by Texas Local Government Code §42.022(b); and

WHEREAS, , Texas Local Government Code §42.022(c) provides that expansion of a municipality's ETJ through annexation, request, or increase in population may not include an area within the existing ETJ of another municipality, except as otherwise authorized by law; and

WHEREAS based upon the information presented to the Town, the Town Council finds that the Property proposed for inclusion is not within the existing ETJ of another municipality and is eligible for inclusion within the Town's ETJ pursuant to Texas Local Government Code §42.022; and

WHEREAS the Town Council finds that the Property Owner has voluntarily requested inclusion of the Property within the Town's ETJ and that acceptance of the Property Owner's request is consistent with Chapter 42 of the Texas Local Government Code; and

WHEREAS, the Town Council desires to formally accept and document the Property Owner's request and to authorize the amendment of the Town's official ETJ maps and records to reflect the inclusion of the Property.

SECTION 1. INCORPORATION OF RECITALS

The foregoing recitals are hereby found to be true and correct and are incorporated into this Resolution for all purposes as findings of fact of the Town Council.

SECTION 2. ACCEPTANCE OF PROPERTY OWNER REQUEST

The Town Council hereby accepts the Property Owner's voluntary written request for inclusion of the Property described in Exhibit "A" and depicted in Exhibit "B" within the extraterritorial jurisdiction of the Town of Horizon City pursuant to Texas Local Government Code §42.022(b).

The Property is hereby recognized as being included within the extraterritorial jurisdiction of the Town of Horizon City in accordance with Chapter 42 of the Texas Local Government Code.

SECTION 3. FINDINGS REGARDING ELIGIBILITY

The Town Council hereby finds and determines that:

A. The Property Owner has voluntarily requested that the Property be included within the Town's ETJ;

B. The Property is located in an unincorporated area of El Paso County, Texas;

C. The Property is contiguous to the otherwise existing ETJ of the Town of Horizon City;

D. Based upon the information available to the Town, the Property is not within the existing ETJ of another municipality;

E. Inclusion of the Property within the Town's ETJ is authorized by Texas Local Government Code §42.022(b); and

F. Acceptance of the Property Owner's request does not constitute annexation of the Property into the corporate limits of the Town of Horizon City.

SECTION 4. PROPERTY OWNER REQUEST

The written request executed by the Property Owner requesting inclusion of the Property within the Town's ETJ pursuant to Texas Local Government Code §42.022(b) is attached to this Resolution as Exhibit "C" and incorporated herein for all purposes.

The Town Secretary shall maintain the executed Property Owner request together with this Resolution as part of the official records of the Town.

SECTION 4. PROPERTY OWNER REQUEST

The written request executed by the Property Owner requesting inclusion of the Property within the Town's ETJ pursuant to Texas Local Government Code §42.022(b) is attached to this Resolution as Exhibit "C" and incorporated herein for all purposes.

The Town Secretary shall maintain the executed Property Owner request together with this Resolution as part of the official records of the Town.

SECTION 5. ETJ BOUNDARY AND OFFICIAL MAP

The Town Administrator, Planning Director, Town Engineer, GIS personnel, and other appropriate Town officials and employees are hereby authorized and directed to amend the official maps and records of the Town to reflect the inclusion of the Property within the Town's ETJ.

SECTION 6. ADMINISTRATIVE ACTIONS

The Town Administrator, or designee, is authorized to execute, acknowledge, file, transmit, or maintain any maps, notices, certificates, correspondence, or other documents reasonably necessary to implement this Resolution and accurately document the resulting ETJ boundary.

The Town Administrator, or designee, is further authorized to provide copies of this Resolution and its exhibits to El Paso County and other governmental entities or agencies as appropriate for purposes of maintaining consistent jurisdictional and subdivision-regulation records.

SECTION 7. NO ANNEXATION OR EXTENSION OF FULL MUNICIPAL REGULATORY AUTHORITY

The inclusion of the Property within the Town's ETJ pursuant to this Resolution does not annex the Property into the corporate limits of the Town, does not subject the Property to municipal ad valorem taxation solely by reason of its inclusion in the ETJ, and does not extend municipal zoning regulations to the Property except to the extent expressly authorized by applicable state law.

Nothing in this Resolution shall be construed as exercising municipal authority within the ETJ beyond that authorized by the Constitution and laws of the State of Texas.

SECTION 8. CONFLICTS

To the extent of any conflict between this Resolution and any prior resolution, policy, map, or administrative action of the Town concerning the boundaries of the Town's ETJ, this Resolution shall control with respect to the Property described herein.

SECTION 9. SEVERABILITY

Should any section, subsection, sentence, clause, or phrase of this Resolution be declared unconstitutional, illegal, or invalid by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Resolution, and the Town Council hereby declares that it would have adopted the remaining portions notwithstanding such invalidity.

SECTION 10. EFFECTIVE DATE

This Resolution shall take effect immediately upon its passage and approval, and the inclusion of the Property within the Town's extraterritorial jurisdiction shall be effective in accordance with Texas Local Government Code Chapter 42.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:

1. Accepting a property owner request for the expansion of the town's extraterritorial jurisdiction.
2. That City staff will present the request for expansion of the town's extraterritorial jurisdiction.
3. That all state and local public notice requirements were met.

PASSED AND ADOPTED this _____day of _____**2026**.

THE TOWN OF HORIZON CITY

_____
Andres Renteria
Mayor

ATTEST:

_____
Elvia Schuller
City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth
Assistant City Attorney

APPROVED AS TO CONTENT:

Arturo Rubio, AICP, CNU-a
Planning Director

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

EXHIBIT "B"

ETJ EXPANSION MAP

EXHIBIT "C"

PROPERTY OWNER REQUEST FOR INCLUSION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF HORIZON CITY, TEXAS

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:

The undersigned ("Owner"), being the owner of the real property described in Exhibit "A" and depicted in Exhibit "B" attached hereto (the "Property"), hereby voluntarily requests that the extraterritorial jurisdiction of the Town of Horizon City, Texas, be expanded to include the Property pursuant to Texas Local Government Code §42.022(b).

Owner represents that:

1. Owner is the record owner of the Property or is duly authorized to execute this request on behalf of the record owner.

2. The Property is situated in El Paso County, Texas.

3. The Property is located outside the corporate limits of the Town of Horizon City.

4. The Property is contiguous to the otherwise existing extraterritorial jurisdiction of the Town of Horizon City.

5. Owner voluntarily requests inclusion of the Property within the Town's extraterritorial jurisdiction.

6. Owner understands that inclusion within the Town's ETJ does not constitute annexation of the Property into the corporate limits of the Town.

7. Owner understands that property within the Town's ETJ may be subject to municipal authority to the extent authorized by applicable Texas law.

Owner therefore respectfully requests that the Town Council accept this request and recognize the Property as included within the extraterritorial jurisdiction of the Town of Horizon City pursuant to Texas Local Government Code §42.022(b).

PROPERTY OWNER:

Legal Name: _____

By: _____

Printed Name: _____

Title: _____

Address: _____

_____

Date: _____

ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF EL PASO §

This instrument was acknowledged before me on the _____ day of _____, 2026, by _____, in the capacity stated herein.

_____

Notary Public, State of Texas

My Commission Expires: _____

ORDINANCE NO. 26-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS, PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, CREATING TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO, TOWN OF HORIZON CITY, TEXAS

WHEREAS, the Town of Horizon City, Texas (the "City"), pursuant to Chapter 311 of the Texas Tax Code, as amended (the "Act"), may designate a geographic area within the City or the extraterritorial jurisdiction (the "ETJ") of the municipality as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a contiguous or noncontiguous geographic area that is in the corporate limits of the municipality or the ETJ of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, the City Council desires to promote the development of a certain contiguous geographic area in the City's ETJ, which is more specifically described in ***Exhibits "A"*** and ***"B"*** of this Ordinance (the "Zone"), through the creation of a reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, pursuant to and as required by the Act, the City has prepared a *Preliminary Reinvestment Zone Project Plan and Financing Plan for Reinvestment Zone Number Two, Town of Horizon City,* attached as ***Exhibit "C"*** (hereinafter referred to as the "Preliminary Project and Finance Plan") for a proposed tax increment reinvestment zone containing the real property within the Zone; and

WHEREAS, notice of the public hearing on the creation of the proposed zone was published in a newspaper having general circulation in the City on October 29, 2026, which date is before the seventh (7th) day before the public hearing held on November 10, 2026; and

WHEREAS, at the public hearing on November 10, 2026, interested persons were allowed to speak for or against the creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and owners of property in the proposed Zone were given a reasonable opportunity to protest the inclusion of their property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

WHEREAS, evidence was received and presented at the public hearing on November 10, 2026, and in favor of the creation of the Zone; and

WHEREAS, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on November 10, 2026; and

WHEREAS, the City has taken all actions required to create the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act (defined herein), and all other laws applicable to the creation of the Zone; and

WHEREAS, the percentage of the property in the proposed zone, excluding property that is public owned, that is used for residential purposes is less than thirty percent; and

WHEREAS, a Preliminary Project and Finance plan has been prepared for the proposed reinvestment zone.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS, THAT:

SECTION 1. RECITALS INCORPORATED.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. FINDINGS.

That the City Council, after conducting the above described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

(a) That the public hearing on the creation of the reinvestment zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law; and

(b) That the creation of the proposed reinvestment zone with boundaries as described and depicted in ***Exhibits "A"*** and ***"B"*** will result in benefits to the City, its residents and property owners, in general, and to the property, residents, and property owners in the reinvestment zone; and

(c) That the proposed reinvestment zone, as defined in ***Exhibits "A"*** and ***"B"***, meets the criteria for the creation of a reinvestment zone set forth in the Act in that:

1. It is a geographic area located within the City's ETJ; and

2. That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Section 311.005 of the Texas Tax Code because the proposed zone is predominantly open and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the City or county.

(d) That 30 percent or less of the property in the proposed reinvestment zone, excluding property dedicated to public use, is currently used for residential purposes; and

(e) That the total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 50 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any; and

(f) That the improvements in the proposed reinvestment zone will significantly enhance the value of all taxable real property in the proposed reinvestment zone and will be of general benefit to the City or county; and

(g) That the development or redevelopment of the property in the proposed reinvestment zone will not occur solely through private investment in the reasonable foreseeable future.

SECTION 3. DESIGNATION AND NAME OF THE ZONE.

Pursuant to the authority of, and in accordance with the requirements of the Act, the City Council hereby designates the area described and depicted in Exhibits "A" and "B" hereto as a tax increment reinvestment zone. The name assigned to the zone for identification is Reinvestment Zone Number Two, Town of Horizon City, Texas (hereinafter referred to as the "Zone").

SECTION 4. BOARD OF DIRECTORS.

That a board of directors for the Zone ("Board") is hereby created. That a board of directors for the Zone ("Board") has been created. The Board shall consist of (8) members comprised of Town of Horizon City Council members from Places 1 through 7 and the Mayor. The Mayor shall serve as chair of the Board and the Board may elect a vice chairman and such other officers as the Board sees fit.

Additionally, each taxing unit that levies taxes within the Zone and chooses to contribute all or part of the tax increment produced by the unit into the tax increment fund may appoint at least one member of the Board. A contributing taxing entity may waive its right to appoint a director. The number of directors on the Board shall be increased by at least one for each taxing unit that appoints a director to the Board;

provided, that the maximum number of directors shall not exceed fifteen (15). All appointments to the Board must be made in accordance of Section 311.009 of the Act. The powers and duties of the board of directors are set forth in Section 31'l .010 of the Act.

Pursuant to Section 311.010(h) of the Act and Article III, Section 52-a of the Texas Constitution, the City Council hereby authorizes the Board, as necessary or convenient to implement the Project and Finance Plan and achieve its purposes, to establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the Zone, eliminating unemployment and underemployment in the Zone, and developing or expanding transportation, business, and commercial activity in the Zone, including programs to make grants of land and buildings and make grants from the Tax Increment Fund for activities that benefit the Zone and stimulate business and commercial activity in the Zone. In addition, the City Council hereby authorizes the Board to exercise all of the powers of the City under Chapter 380, Texas Local Government Code, as amended.

SECTION 5. DURATION OF THE ZONE.

That the Zone shall take effect immediately upon the passage and approval of this Ordinance, consistent with Section 311.004(a)(3) of the Act, and termination of the Zone shall occur upon any of the following: (i) on December 31, 2056 (with the final year's tax increment to be collected by September 1, 2057); (ii) at an earlier time designated by subsequent ordinance; (iii) at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, notes and other obligations of the Zone, and the interest thereon, have been paid in full, in accordance with Section 311.017 of the Act.

SECTION 6. TAX INCREMENT BASE AND TAX INCREMENT.

That the tax increment base for the Zone, as defined by Section 311.012(c) of the Texas Tax Code, shall be the total appraised value of all real property in the Zone taxable by a taxing unit, determined as of January 1, 2026, which is the year in which the Zone was designated as a reinvestment zone.

The Tax Increment Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the Tax Increment Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, and (ii) ninety percent (90%) of the City's tax increment, as defined by Section 311.012(a) of the Texas Tax Code, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment.

SECTION 7. TAX INCREMENT FUND.

That there is hereby created and established a "Tax Increment Fund" for the Zone which may be divided into such subaccounts as may be authorized by subsequent ordinance, into which all tax increments of the City, as such increments are described in the final project plan and reinvestment zone financing plan and may include administration costs, less any of the amounts not required to be paid into the Tax Increment Fund pursuant to the Act, are to be deposited. The Tax Increment Fund and any subaccounts are to be maintained in an account at the affiliated depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. In addition, all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or in part from the tax increments; (ii) the sale of any property acquired as part of a tax increment financing plan adopted by the Board; and (iii) other revenues dedicated to and used in the Zone shall be deposited into the Tax Increment Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purpose pursuant to Section 311.010(b), Texas Tax Code.

SECTION 8. SEVERABILITY CLAUSE.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 9. OPEN MEETINGS.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 10. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law.

PASSED AND APPROVED ON this _____day of November 2026.

TOWN OF HORIZON CITY

_____
Andres Renteria, Mayor

ATTEST:

_____
Elvia Schuller
City Clerk

APPROVED AS TO FORM:

_____
Sylvia Borunda Firth
City Attorney

EXHIBIT A

BOUNDARY DESCRIPTION

The boundaries of TIRZ #2 consist of approximately 644.5375 acres within the extraterritorial jurisdiction limits of Horizon City. The boundaries are contiguous and consist of Part 1, Part 2, and a portion of Horizon Boulevard and the associated right of way. The legal description for the TIRZ is described in detail below.

PARTS 1 AND 2 SITUATED IN LEIGH CLARK SURVEY NO. 292 ABSTRACT 6256 IN EL PASO COUNTY, TEXAS

PART 1 LEGAL DESCRIPTION

DESCRIPTION OF A 603.168 ACRE TRACT OF LAND SITUATED IN LEIGH CLARK SURVEY NO. 292, ABSTRACT 6256, IN EL PASO COUNTY, TEXAS AND BEING A PORTION OF THE GENERAL LAND OFFICE SCHOOL FILE NO. 8069, SAID 603.168 ACRE TRACT, BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1 inch capped iron rod found for the northeast corner of said Leigh Clark Survey No. 292, being also the northwest corner of the Leigh Clark Survey No. 291, being also the southeast comer of the C.D. Stewart Survey No. 322, and being also the southwest comer of the C.D. Stewart Survey No. 321, from which a bent 1/2 inch iron rod found bears N 84°05’34” W, a distance of 8.20 feet, said Point of Beginning having Texas State Plane Grid Coordinate values (Central Zone, NAD 83, U.S. Feet, Combined Scale Factor of 0.99977223) of N=l0,618,967.13, E=467,459.80;

THENCE S 02°31’25” W, along the east line of said Leigh Clark Survey No. 292, being also the west line of said Leigh Clark Survey No. 291, for a distance of 5259.40 feet to a 5/8” iron rod set with cap stamped “ZWA”, for the southeast comer of the herein described tract, and being the southeast comer of said Leigh Clark Survey No. 292, from which a 1 inch iron pipe found for the southeast corner the Leigh Clark Survey No. 295 bears S 02°31’25” W, a distance of 5317.10 feet;

THENCE N 87°00’11” W, along the south line of the herein described tract, being also the south line of said Leigh Clark Survey No. 292, and being the north line of said Leigh Clark Survey No. 295, for a distance of 5324.35 feet to a 1 inch iron pipe found for the southwest corner of the herein described tract and being the southeast comer of the Leigh Clark Survey No. 292, being also the southeast comer of the Leigh Clark Survey No. 293, being also the northeast corner Leigh Clark Survey No. 294, and being also the northwest comer of the Leigh Clark Survey No. 295;

THENCE N 02°21’56” E, along the west line of said Leigh Clark Survey No. 292, being also the east line of said Leigh Clark Survey No. 293, for a distance of 2946.23 feet to a 5/8” iron rod set with cap stamped “ZWA”, on the south line of Horizon Boulevard, a 300 foot right-of-way, of record in Volume 517, Page 761, Official Public Records El Paso

County, Texas, from which a 1 inch iron pipe found for the northwest comer the Leigh Clark Survey No. 292 bears N 02°21’56” E, a distance of 2317.25 feet;

THENCE departing the west line of the Leigh Clark Survey No. 292, with the southeast line of said Horizon Boulevard the following five (5) courses and distances:

1) N 69°21’31” E, for a distance of 138.56 feet to a 5/8 inch iron rod set with cap stamped “ZWA” at the beginning of a curve to the left,

2) along said curve to the left an arc distance of 1534.72 feet, said curve having a radius of 1315.10 feet, a central angle of 66°51’51”, and a chord bearing of N 35°55’35” E for a chord distance of 1449.10 feet to a 5/8 inch iron rod set with cap stamped “ZWA” at a compound curve to the left,

3) along said curve to the left an arc distance of 555.83 feet, said curve having a radius of 2730.51 feet, a central angle of 11°39’48”, and a chord bearing of N 03°20’15” W for a chord distance of 554.87 feet to a calculated point from which a Tx.DOT brass disk in concrete found bears N 45°47’58” E, a distance of 0.21 feet;

4) N 09°10’09” W, for a distance of 1.31 feet to a 5/8 inch iron rod set with cap stamped “ZWA” at the beginning of a curve to the right,

5) along said curve to the right an arc distance of 495.78 feet, said curve having a radius of 2446.90 feet, a central angle of 11°36’32”, and a chord bearing of N 03°21’53” W for a chord distance of 494.93 feet to a 5/8 inch iron rod set with cap stamped “ZWA” on the north line of said Leigh Clark Survey No. 292, being also the south line of the said C.D. Stewart Survey No. 322, and being also the south line of Ellsworth Drive, a 60 foot right-of-way, recorded in Volume 41, Page 26A, Official Public Records El Paso County, Texas, from which a TxDOT brass disk in concrete found bears N 10°42’08” E, a distance of 1.03 feet;

THENCE S 86°57’39” E, departing the southeast line of Horizon Boulevard, along the north line of said Leigh Clark Survey No. 292, for a distance of 4515.05 feet to the POINT OF BEGINNING and containing 603.168 acres of land.

PART 2 LEGAL DESCRIPTION

DESCRIPTION OF A 23.645 ACRE TRACT OF LAND SITUATED IN LEIGH CLARK SURVEY NO. 292, ABSTRACT NO. 6256, IN EL PASO COUNTY, TEXAS AND BEING A PORTION OF THE GENERAL LAND OFFICE SCHOOL FILE NO. 8069, SAID 23.645 ACRE TRACT, BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 2 inch iron pipe found for the northwest comer of said Leigh Clark Survey No. 292, being also the northeast corner of the Leigh Clark Survey No. 293, being also the southeast comer of the C.D. Stewart Survey No. 323, and being also the southwest corner of the

C.D. Stewart Survey No. 322, said Point of Beginning having Texas State Plane Grid Coordinate values (Central Zone, NAD 83, U.S. Feet, Combined Scale Factor of 0.99977223) of N=l0,619,250.12 E=462,129.60;

THENCE S 86°57’39” E, along the north line of said Leigh Clark Survey No. 292, being also the south line of said C.D. Stewart Survey No. 322, for a distance of 523.86 feet to a calculated point, on the north line of Horizon Boulevard, a 300 foot right-of-way, on the south line of Horizon Boulevard, a 300 foot right-of-way, of record in Volume 517, Page 761, Official Public Records El Paso County, Texas, for the northeast comer of the herein described tract, from which a 1 inch iron pipe found bears S 84°35’13” E, a distance of 0.53 feet, and from which the calculated point, a I inch iron rod with cap found for the northeast corner the Leigh Clark Survey No. 292 bears S 86°57’39” E, a distance of 4815.06 feet;

THENCE departing the north line of the Leigh Clark Survey No. 292, with the northwest line of said Horizon Boulevard the following six (6) courses and distances:

1) S 02°29’51” W, for a distance of 0.38 feet to a calculated point at the beginning of a curve to the left,

2) along said curve to the left an arc distance of 559.33 feet, said curve having a radius of 2746.90 feet, a central angle of 11°40’00”, and a chord bearing of S 03°20’09” E for a chord distance of 558.36 feet to a 5/8 inch iron rod set with cap stamped “ZW A”,

3) S 09°10’09” E, for a distance of 1.31 feet to a calculated point, from which a TxDOT brass disk in concrete found bears N 50°15’05” E 0.33 feet, at the beginning of a curve to the right,

4) along said curve to the right an arc distance of 494.76 feet, said curve having a radius of 2430.51 feet, a central angle of 11°39’48”, and a chord bearing of S 03°20’15” E for a chord distance of 493.91 feet to a calculated point, from which a TxDOT brass disk in concrete found bears N 62°41’40” E, a distance of 0.18 feet, at a compound curve to the right;

5) along said compound curve to the right an arc distance of 1184.62 feet, said curve having a radius of 1015.10 feet, a central angle of 66°51’51”, and a chord bearing of S 35°55’35” W for a chord distance of 1118.54 feet to a 5/8 inch iron rod set with cap stamped “ZWA”, from which a 1/2 inch iron rod found bears S 47°45’02” W, a distance of 1.66 feet, and

6) S 69°21’31” W, for a distance of 11.17 feet to a 5/8 inch iron rod set with cap stamped “ZWA”, on the west line of said Leigh Clark Survey No. 292, being also the east line of the said Leigh Clark Survey No. 293, from which a 1 inch iron pipe found being the southwest comer of said Leigh Clark Survey 292 bears S 02°21’56” W, a distance of 3272.16 feet;

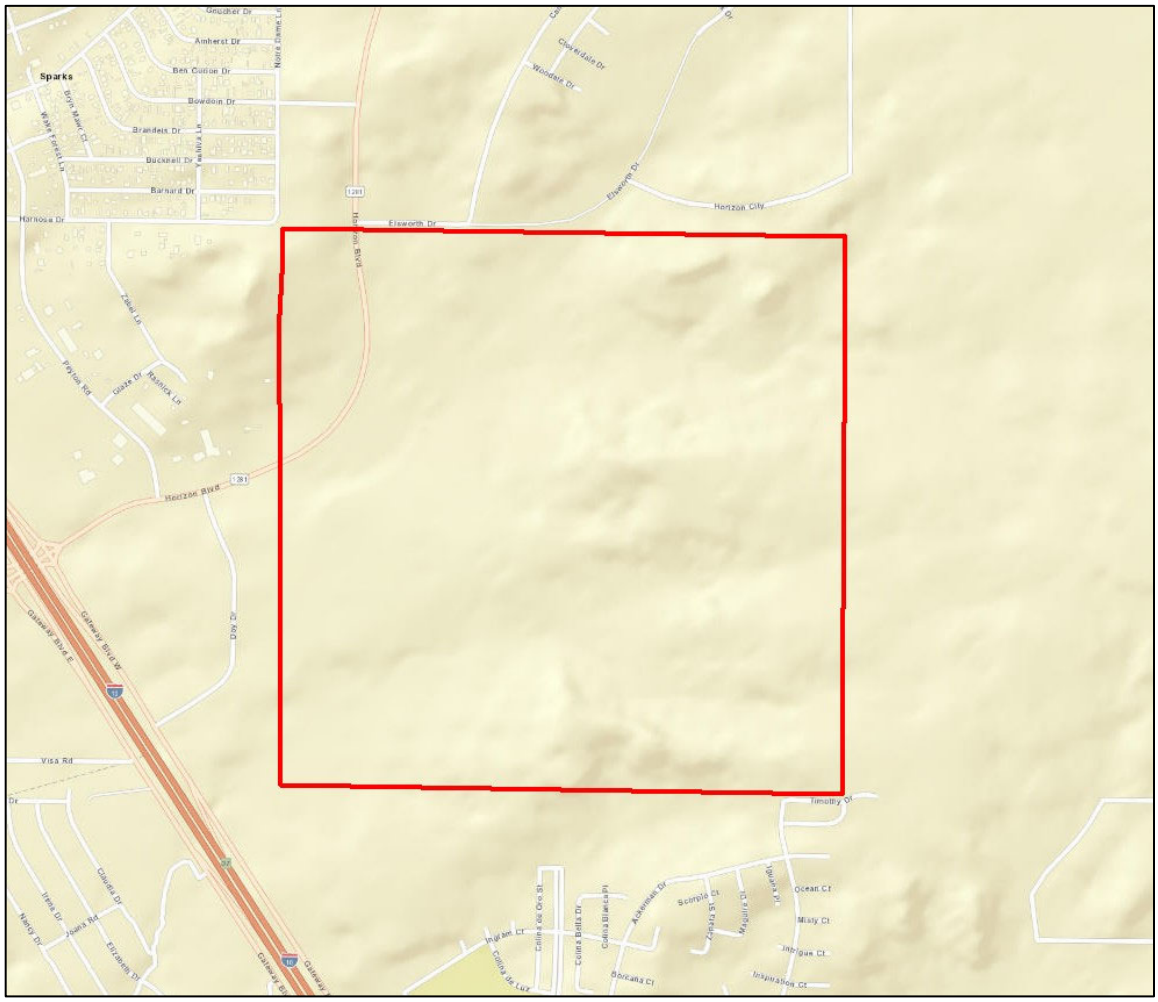
THENCE N 02°21’56” E, departing the northwest line of Horizon Boulevard, along the west line of said Leigh Clark Survey No. 292, for a distance of 1991.32 feet to the POINT OF BEGINNING and containing 23.645 acres of land.

HORIZON BLVD ROW DESCRIPTION

Property ID 301246: LEIGH CLARK SURV 292 (17.7245 AC) (R O W)

EXHIBIT B

BOUNDARY MAP



- TIRZ Boundary

EXHIBIT C

PRELIMINARY PROJECT PLAN AND FINANCE PLAN

ORDINANCE NO. 0325

2027 BUDGET AMENDMENT NO. 01

AN ORDINANCE AMENDING ORDINANCE NO. 0325 (AMENDMENT NO. 01) OF THE TOWN OF HORIZON CITY, ADOPTING THE MUNICIPAL BUDGET FOR THE 2027 FISCAL YEAR, TO ALLOW FOR THE TRANSFER $16,625.00 FROM THE BUILDING SERVICES DEPARTMENT TO THE PLANNING DEPARTMENT TO PROVIDE FOR THE RE-ALIGNMENTOF RESPONSIBILITES AND STAFFING IN THOSE DEPARTMENTS; AND PROVIDING REPEALER AND SEVERABILITY CLAUSES.

.

WHEREAS, Ordinance No. 0325 was enacted on the 8th day of September 2026, which adopted a budget for the fiscal year of October 1, 2026, to September 30, 2027, for the Town of Horizon City; and

WHEREAS, it is now necessary to amend said budget for municipal purposes to establish the funding for contract services in the finance department, as this funding and expenditures necessary to provide financial services were not included in the budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. BUDGET AMENDMENT

That funds shall be transferred, as set forth in Attachment "A", for the above-stated purpose.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with

jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. PROPER NOTICE & MEETING

This budget amendment shall be in file with the City Clerk for public inspection. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the _____ day of _____, 2027, by a vote of ___ (*ayes*) to ___ (*nays*) to ___ (*abstentions*) of the City Council of Horizon City, Texas.

TOWN OF HORIZON CITY:

By*:* _____
Andres Renteria, Mayor

ATTEST:

By*:*_____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

By:_____
Sylvia Borunda Firth, City Attorney

First Reading _____
Second Reading_____

ATTACHMENT "A"

Town of Horizon City
2027 Budget Amendment No. 1
General Fund

Account	Current Budgeted Amount	Amendment	Revised Budgeted Amount

ATTACHMENT "A"
TOWN OF HORIZON CITY
2027 BUDGET AMENDMENT 01
GENERAL FUND

Account	Current Budgeted Amount	Amendment	Revised Budgeted Amount
Salaries - Building Services Department 01-503-5010	$309,651.00	($16,625.00)	$293,026.00
Salaries - Planning Department 01-509-5010	$250,939.00	$16,625.00	$267,564.00

TOWN OF HORIZON CITY, TEXAS

ORDINANCE NO._____

AN ORDINANCE CREATING THE OFFICE OF THE CITY ENGINEER FOR THE TOWN OF HORIZON CITY; DESIGNATING THE CITY ENGINNER AS A MUNICIPAL OFFICER; SPECIFYING THE QUALIFICATIONS AND DUTIES FOR THE POSITION; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY, EFFECTIVE DATE.

WHEREAS, Section 3.13 (A) of the Town of Horizon City Charter requires the Town Council adopt and ordinance to "…establish, alter, or abolish any City departments, office or agency."

WHEREAS, the City Engineer is designated as an officer of the municipality pursuant to Section 22.071 of the Texas Local Government Code and must be appointed by an ordinance that may also confer the powers and duties of said officer;

WHEREAS, Section 1001.407 of the Texas Occupations Code provides that the state or a political subdivision of the state may not construct a public work involving engineering in which the public health, welfare, or safety is involved unless: (1) the engineering plans, specification and estimates have been prepared by an engineer; and (2) the engineering construction is performed under the direct supervision of an engineer;

WHEREAS, the Town of Horizon City currently utilizes a contracted City Engineer to provides services including, but not limited to, reviewing land use applications, subdivision plats, street and other municipal infrastructure, maintenance and construction management for major capital projects;

WHEREAS, the Town of Horizon City would like to create the position of City Engineer and have the option of handling some of the functions currently contracted out inhouse and have the City Engineer oversee the engineering functions which they determine are more efficiently outsourced;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL, OF THE TOWN OF HORIZON CITY,TEXAS:

SECTION 1. CREATION OF OFFICE

There is created the office of City Engineer of the Town of Horizon City and shall receive such compensation set by the Town Council. The City Engineer is designated as a municipal officer.

The City Engineer shall be appointed by a majority vote of the Town Council and shall serve for an indefinite term.

SECTION 2. EMPLOYMENT STATUS

The City Engineer shall be subject to and entitled to an rights, regulations, rules and benefits applicable to all non-uniformed public safety personnel and set forth in the Town of Horizon City Employment Manual and other employment policies and procedures adopted in the Town of Horizon City.

SECTION 3. QUALIFICATIONS

The City Engineer shall be a duly authorized person and licensed under the provisions of the Texas Engineering Registration Act (Texas Engineering Practice Act), Chapter 1001 Occupations Code, to practice the profession of engineering. Any person action as the City Engineer must be a licensed Professional Engineer (P.E.) registered with the Texas Board of Professional Engineers and Land Surveyors ("TBPELS").

The City Engineer must hold an approved engineering degree and a minimum of 5 years of active engineering practice, pass required exams and complete up to 15 hours of approved continued education annually.

SECTION 4. DUTIES AND RESPONSIBILITIES

The City Engineer will perform all duties required by law, ordinance, resolution or order of the Town Council including, but not limited to, reviewing land use applications, subdivision plats, street and other municipal infrastructure, maintenance and construction management for major capital projects and will oversee the work of contracted engineers and firms to handle work the City Engineer recommends be outsourced. When the work is outsourced, the developers must continue to reimburse the City for the expenses incurred as required by the Subdivision Ordinance.

SECTION 5. FINDINGS OF FACT

All of the foregoing recitals are hereby found to be true and correct legislative findings of the Town Council and are incorporated fully herein as findings of fact.

SECTION 6. REPEALER

Any ordinances, resolutions, orders, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SECTION 7. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

SECTION 8. PROPER NOTICE AND MEETING

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code and the Charter of the Town of Horizon City, Texas.

SECTION 9. EFFECTIVE DATE

The effective date of this Ordinance is the date passed and approved by the Town Council.

PASSED AND APPROVED this the ____ day of _____, 2026, by a vote of ___ (ayes) to ____ (nays) to ____ (abstentions) of the Council of the Town of Horizon City, Texas.

TOWN OF HORIZON CITY

By:_____
Andres Renteria, Mayor

ATTEST:

By:_____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

By:_____
Sylvia Borunda Firth
City Attorney

First Reading:_____
Second Reading:_____

TOWN OF HORIZON CITY

ORDINANCE NO. 0035 AMENDMENT NO. _____

AN ORDINANCE AMENDING THE TOWN OF HORIZON CITY SUBDIVISION ORDINANCE BY REPEALING AND REPLACING CHAPTER 10A SUBDIVISION ORDINANCE; SECTION 2.8 PARKLAND DEDICATION AND FEES IN LIEU; ADOPTING PARKLAND DEDICATION REQUIREMENTS, FEES IN LIEU OF PARKLAND DEDICATION, PARK DEVELOPMENT IMPROVEMENT FEES, PARKLAND CREDITS, PRIVATE PARK CREDITS FOR MULTIFAMILY DEVELOPMENT, PARK FACILITIES STANDARDS AND AMENDING THE SUBDIVISION CONSTRUCTION DESIGN MANUAL TO INCLUDE THE STANDARDS AND REVISE CROSS-SECTIONS; PARK DESIGN; PARKLAND FUND ADMINISTRATION, REFUNDS, APPEALS, EXHIBIT A PARKLAND DEDICATION, FEE IN LIEU AND PARK DEVELOPMENT IMPROVEMENT FEE SCHEDULE AND ESTABLISHING PARKLAND REQUIRED STANDARDS; PROVIDING FOR SEVERABILITY, REPEALER, PROPER NOTICE, AND EFFECTIVE DATE.

WHEREAS, a proposal was brought forward by staff to and considered by Horizon City Planning and Zoning Commission to amend portions of Ordinance No. 0035relating to parkland dedication, fees in lieu of, multi-family park credits, park facility standards, parkland fund administration, appeals and exhibit A Improvement Fee Schedule; and

WHEREAS, the Planning and Zoning Commission will consider the staff's proposals at its September 21, 2026, regular meetings; and

WHEREAS, public hearings have been held by the Town Council as required by law; and

WHEREAS, all written and oral protests (if any) submitted against the proposed ordinance change have been reviewed and considered; and

WHEREAS, pursuant to Texas Local Government Code section 51.001, the town has general authority to adopt an ordinance that is for the good government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace, and order and that our physical environment has a direct impact on the chances for happy, prosperous lives for the residents of the Town of Horizon City to adopt this Ordinance and technical code; and

WHEREAS, the City Council finds that residential development creates a demand for parks, recreational facilities, trails, open space, and public recreational improvements; and

WHEREAS, the City Council finds that it is necessary and desirable to require new residential development to contribute its proportionate share toward park acquisition and development costs; and

WHEREAS, Texas Local Government Code Chapter 212 authorizes municipalities to require parkland dedication, fees in lieu of dedication, park development fees, or a combination thereof; and

WHEREAS, the Town Council desires to adopt parkland dedication regulations modeled after the City of El Paso Parkland Dedication Ordinance and Park Facilities Standards;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:

I. ENACTMENT OF AMENDMENTS

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this amendment no. 17 to Ordinance no.0035, which regulates subdivisions within the territorial limits of the Town of Horizon City and related matters, to amend parkland dedication, fees in lieu of, multi-family park credits, park facility standards, off-site parkland dedication, parkland fund administration, appeals and Exhibit A Improvement Fee Schedule as follows:

Section 2.8 of the Subdivision Ordinance is hereby repealed and replaced in its entirety.

SECTION 2.8 PARKLAND DEDICATION AND FEES IN LIEU

2.8.1 Purpose

The purpose of this Section is to ensure adequate parkland and recreational facilities are available to serve residents of new residential development and to require development to contribute its proportionate share toward acquisition and development of park facilities necessitated by growth.

2.8.2 Applicability

This Section applies to:

A. Single-family residential development;

B. Duplex development;

C. Townhome development;

D. Multifamily development;

E. Mixed-use development containing residential dwelling units.

2.8.2.1 Review by the Parks and Recreation Manager.

The Parks and Recreation Manager shall make recommendations based upon the requirements of this chapter to the Planning Department at the appropriate time within the plat review process. Recommendations received pursuant to this chapter shall be noted in the written report prepared by the Planning Director for the subdivision application, and shall be forwarded to the subdivider, Planning and Zoning Commission and City Council, where applicable.

2.8.3 Dedication Requirement

A. As a condition of subdivision approval, the applicant shall dedicate parkland, pay a fee in lieu of parkland dedication, pay a Park Development Improvement Fee, or provide a combination thereof as determined by the City.

B. It is declared by the city council that recreation areas in the form of neighborhood parks, community parks and regional parks that serve several neighborhoods, linear parks, trails, and open space areas are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or the addition of new construction or redevelopment on existing developed lands.

C. Neighborhood parks, community parks, linear parks, trails and open space areas referred to in this chapter are those parks providing for a variety of outdoor recreational opportunities and within convenient distances from the majority of the residences to be served thereby. The primary cost of those parks should be borne by the ultimate property owners who, because of their proximity to such parks, shall be the primary beneficiaries of such facilities.

D. The requirements for parkland are based in part on the standards, needs and objectives set forth in the Town of Horizon City Parks and Recreation Master Plan, routinely amended and adopted by the city council, a copy of which shall be retained in the office of the Parks and Recreation Manager and which shall be incorporated by reference herein for all purposes. Therefore, the requirements in this code and any requirements in the Design Standards for Construction Manual (DSCM) are adopted to affect the purposes stated above and shall apply to any development within the Town of Horizon City, except as noted therein.

E. Dedication Required. All subdivisions located within the corporate limits of the Town of Horizon City and within those areas designated in the city's extra territorial jurisdiction (ETJ), as identified on an official map kept in the office of the planning official.

1.The land conveyed and deeded to the city shall not be subject to reservations of record, encumbrances or easements which will interfere with the use of the land for park purposes.

2.Where a subsurface interest is severed from the surface estate, retention of the subsurface interest may not be considered an encumbrance for the purposes of this chapter.

F. In Residential Subdivisions. A residential subdivision shall provide for the parkland needs of the community pursuant to Section 2.8.5, Parkland Calculation.

1.For purposes of this chapter, a residential subdivision shall include any subdivision application submitted on property where the zoning allows for single-family, two-family or multifamily development (apartments).

2.This provision may be waived by the Planning Director where the city is provided with a copy of deed restrictions or other legal instrument verifying that the property within the subdivision application or portion thereof, is restricted to nonresidential uses as defined in this chapter. The evidence shall be provided to the Planning Director for the filing of the preliminary plat and shall be reviewed by the City Attorney prior to the Planning and Zoning commission action on the preliminary plat. Failure of the subdivider to provide this information with the filing of the preliminary plat shall result in the subdivision application being considered as a residential subdivision.

C. In nonresidential subdivisions. After parkland fees have been calculated, a subdivision, not otherwise classified as a residential subdivision, that changes the use to include dwelling units or increases the density of dwelling units within the subdivision, shall trigger a recalculation of parkland fees or parkland dedication under Section 2.8.3. If additional fees are due or if the recalculation requires parkland to be dedicated, then such fees shall be paid, or dedication provided, prior to the issuance of any building permit.

D. The requirement to provide parkland to the city pursuant to this title shall not be satisfied using land required to be conveyed by the subdivider to the city as part of a separate legal instrument, condition, covenant, contract, agreement, sale or ordinance, except as specifically provided in this Chapter.

2.8.3.1 Off-site parkland dedication.

A. Application. Where a master plan or land study is submitted by a subdivider pursuant to Chapter 10 Subdivision Regulations and Chapter 10A Subdivision Ordinance, the city or the subdivider may request that an off-site dedication of parkland be accepted within the corporate limits or within the areas designated in the city's extra territorial jurisdiction (ETJ), as identified on an official map kept in the office of the planning official. An application for off-site dedication of parkland shall be filed by a subdivider with the Planning Director.

B. Credit Applicability. Parkland to be deeded as part of an off-site dedication shall be entirely within the boundaries of the park service area as the proposed subdivision. Park service areas are designated by the Town of Horizon City Parks and Recreation Master Plan and are published by the Parks Division.

C. An off-site parkland dedication shall be an option available to the subdivider where parkland credits derived are then used to reduce by an equivalent amount any subsequent parkland requirement generated by the submission of phased residential subdivisions. The credit shall be applied to residential subdivisions submitted from within the applicable park service areas. Where a parkland dedication straddles two park service areas, credits shall be allowed within either park service area if approved by the City Council, upon an affirmative recommendation of the parks and recreation division.

D. Formula.

1. For purposes of determining the credit, the following procedure shall be used:

a - b = c

Where:

"a" is the amount of parkland dedicated or deeded to the city expressed in total acres (credit);

"b" is the amount of subsequent parkland acreage required to be deeded to the city pursuant to Section 2.8.5, Parkland Calculation, for a residential subdivision, based on the parkland calculation rates in effect at the time of the submittal;

"c" is the amount of parkland credit available from the parkland dedicated or deeded. If a reduction exceeds the credit, the difference shall be the amount of required parkland to be dedicated or deeded to the city after reduction.

E. In no instance shall a parkland credit be from the value of the land dedicated or deeded in terms of fees it would have generated, or the market value of the land expressed in dollars. This parkland credit option may be exercised by the subdivider who dedicated or deeded the parkland to the city or may be transferred to a subsequent purchaser of land within the applicable park zone(s), The subsequent purchaser must submit written proof of such a transfer to the Planning Director. The Planning and Zoning Commission shall approve, upon recommendation by the director of the parks and recreation department, the residential subdivision(s) to which the credit shall be applied.

2.8.4 Exemptions from Parkland Dedication Requirement

The following shall be exemptions from the calculation for parkland dedication. In all instances, the burden of proof shall be on the subdivider to demonstrate that the plat meets the requirements of this chapter:

A. A residential replat of an area where the density has not been increased from the original subdivision, as evidenced by the original subdivision and replat. In the case of a replat where parkland was not originally provided, the parkland requirements shall prevail;

B. A replat or an amendment to a subdivision plat where the only change to the original subdivision plat is that easements or rights-of-way are eliminated, added or changed and there is no increase in density.

C. A nonresidential replat which changes the lot location or design, but where the acreage has not been increased, as evidenced by the original subdivision and replat;

D. A replat which changes the use of the original subdivision from residential to nonresidential, and the fees paid (or the equivalent fees which would have been paid based on parkland dedicated) on the original subdivision are more than or equal to the fees required on the replat;

E. A replat which changes the use of the original subdivision from nonresidential to residential, and the fees paid for the original subdivision are more than or equal to the fees required on the replat;

F. Land shown within an amending subdivision where density is not increased, as evidenced by the original and amending subdivisions; or

G. Land shown within a subdivision, whether residential or non-residential, which is designated for use as a public facility.

2.8.5 Parkland Calculation

A. Rate.

1. Where a residential subdivision application is filed, the amount of parkland required to be deeded to the city shall be as follows:

a. Single-Family and Two-Family Units. One acre of parkland for every one hundred dwelling units calculated as follows:

"x" = "y"/100

Where:

"x" is the amount of acres of parkland required to be deeded, and

"y" is the number of dwelling units in the subdivision.

b. Multifamily. One acre of parkland for every two hundred dwelling units calculated as follows:

"x"=;frac;"y" × "z";200

Where:

"x" is the amount of acres of parkland required to be dedicated;

"y" is the gross acres of the proposed multifamily subdivision; and

"z" is the density of the proposed multifamily subdivision.

c. Density Calculated. In calculating the parkland requirement for residential subdivision applications where more than one unit per lot may be allowed, density shall be determined by using the gross density permitted by the zoning classification on the property Chapter 14 Zoning.

d. The Planning Director may waive the gross density used in the parkland calculation rate for subsection (A)(1)c. above when the subdivider verifies by means of deed restrictions or other legal instrument that the density permitted within the subdivision is less than the gross density required by subsection (A)(1)a. or (A)(1)b. of this section. The evidence shall be provided to the Planning Director with the filing of the final plat and shall be reviewed by the city attorney prior to City Council action on the final plat. Failure of the subdivider to provide this information with the filing of the final plat shall result in the gross density rates of this chapter being applied to the parkland calculation.

e. Mixed-Use Developments. Subdivisions that provide a mixture of residential and nonresidential components shall meet the requirements of this chapter in the following fashion.

i. Horizontal Mixed-Use Developments. For mixed-use developments where residential and nonresidential components occur in separate buildings within the same development, the residential components shall meet the requirements established in Section 2.8.5, Parkland Calculation. Nonresidential components shall meet the requirements of Section 2.8.8, Fee in Lieu of Dedication.

ii. Vertical Mixed-Use Developments. For mixed-use developments, where residential developments occur above or besides non-residential development within the same building, the following requirements shall apply.

(A) If the nonresidential component equals or exceeds twenty percent of the gross square footage of the development, parkland fees for the entire development shall be based on the nonresidential fee requirements of Section 2.8.8, Fee in Lieu of Dedication.

(B) If the nonresidential component is less than twenty percent of the entire square footage of the development, parkland fees for the entire development shall be based on the number of residential units as per the requirements of subsection (A)(1)(b) above.

B. Types of Parkland That May Be Dedicated. The following park configurations of land may be proposed by the subdivider to meet the dedication requirements of this chapter. The lands to be dedicated and the type of dedication to be provided shall be based on the affirmative recommendation of the Parks and Recreation Manager and the approval of the Planning and Zoning commission.

If the Parks and Recreation Manager does not provide an affirmative recommendation, the developer may appeal the Parks and Recreation Manager’s decision. The Parks and Recreation

Manager shall provide the developer, in writing, with the reasons for the denial. The appeal will require the developer to file an appeal with the Planning Director within fifteen business days of receiving the decision. The appeal shall be accompanied by the following:

(a) A thirty-day waiver of the thirty-day statutory requirement for approval of the subdivision plat.

(b) The reasons for the appeal. Upon receipt of the appeal, the planning director shall place the appeal on the next available Planning and Zoning Commission meeting. The Planning and Zoning Commission may overturn the parks director's decision by a super majority, which shall be three-fourths of the Planning and Zoning Commission present and voting. In determining whether to overturn the parks director's decision, the Planning and Zoning Commission shall consider any evidence presented by the developer and parks director. In no instance can the Planning and Zoning Commission modify or vary any city code requirements.

An alternative type of dedication may be recommended by the Parks and Recreation Manager, based on the specific nature of the subject property. Any dedication that is proposed shall meet the requirements of the Town of Horizon City Standards, except as noted in this chapter.

1. Neighborhood Parks. Lands for parks that serve a neighborhood shall be of the quantity determined by the density of the residential subdivision submitted pursuant to Section 2.8.5, Parkland Calculation. The developer may satisfy Section 2.8.5 by providing multiple park sites that comply with Section 2.8.7, Standards for Dedicated Parkland, for a residential subdivision application.

2. Dual Park-Pond. Parks and drainage retention or detention ponds may be placed side by side or combined to provide for larger and more efficient park and open space lands for neighborhoods.

Conceptual cross-sections for park-pond areas are included in the subdivision standards. These conceptual drawings are intended to serve as a guideline to the designer, and modifications that meet or exceed the intent of this chapter are encouraged. All park-pond designs shall be approved by the director of parks and recreation, and the city engineer or city floodplain administrator.

a. Park-ponds requirements. For purposes of this subsection, the ponding area proposed for use as a park-pond shall require an affirmative approval for park usage by the director of the parks and recreation department, subject to the provisions below being met. Where acceptable, the pond portion of the park may count towards the required parkland dedication amount at ratio of one acre of park-pond for every one acre of required parkland dedication, subject to the following requirements being met.

I. To be considered as a park-pond, the proposed facility must be located no further than one-half mile from all residences that it is intended to serve. The street frontage for the park-pond shall be continuous along one complete side of the park or thirty-five percent of the park perimeter whichever is greater.

ii. Flat perimeter areas on the rim of the ponding basin shall be provided. These shall be a minimum of ten feet in width from the edge of the pond slope to the nearest property line to allow for a trail, landscaping and pond maintenance requirements. If abutting a seven-foot sidewalk or trail the flat perimeter area shall be a minimum of five feet. Wider and variable width areas are preferred to create a more parklike appearance.

iii. A park-pond shall include a flat, contiguous park area adjacent to the detention or retention basin that is not subject to periodic inundation during a ten-year storm event. The area shall be at least one-half acre, including the nearest adjacent perimeter flat zone, and shall meet the applicable minimum improvement requirements of Section 2.8.7, Standards for Dedicated Parkland, as determined by the Director of Parks and Recreation. For park-ponds with a pond area greater than two and one-half acres, the upper park area shall be at least twenty percent of the pond area. The area shall be configured to accommodate permanent park structures, such as play features, multi-purpose courts, and shade pavilions.

iv. Side slopes in park-ponds shall not exceed a maximum three to one horizontal to vertical slope. Flatter side slopes are recommended.

v. If a two-tier park-pond is designed, then the lower tier flat area shall not be less than twenty percent of the upper tier flat area.

vi. The maximum depth of the pond portion of a park-pond shall not exceed ten feet for a two-tier park-pond and six feet for a one-tier park-pond.

vii. Perimeter areas around the pond shall be planted to create an attractive buffer zone around the park-pond. Plant materials and required irrigation system(s) must be installed and operational at the time the city accepts the facility. All irrigation and planting shall meet the park facilities standards referenced in Section 2.8.7, Standards for Dedicated Parkland.

viii. Signs shall be provided to inform the public of the dual park-pond purpose and to notify them of the potential safety hazard from stormwater detention/retention.

ix. Percolation tests at the bottom of the park-pond basin shall be performed according to ASTM 5126. Stormwater shall percolate within seventy-two hours or as may be approved by the city engineer or other designee of the Mayor.

x. A fully accessible route that meets Americans with Disabilities Act (ADA) standards to the lower park area in the basin of the pond shall be provided.

xi. Grading, irrigation, and turf shall be provided in accordance with Section 2.8.7, Standards for Dedicated Parkland.

xii. Credit may be provided for that portion of the park-pond that exceeds the amount of parkland required to be deeded to the city pursuant to this title if the credit to be derived is

within the same park service area and upon the affirmative recommendation of the director of parks and recreation.

b. Other ponds not serving as park ponds. This shall meet minimum placement, setback and landscaping requirements as established by the Town of Horizon City Stormwater Drainage Manual.

3. Linear park corridors and trail development. Trail corridors may be dedicated and constructed by the subdivider, and may serve as credit against required parkland, subject to the following conditions being met:

a. Where adjacent to private property lines on either side of the corridor, the trail corridor shall be a minimum of thirty feet in width;

b. Where the trail corridor is adjacent to a permanently preserved corridor such as a drainage channel or natural open space, the additional trail corridor width may be reduced to fifteen feet. A minimum of ten feet from the nearest edge of the trail adjacent to a private property line shall be maintained except where separated from such private property by a wall;

c. If the trail corridor is located adjacent to a street right-of-way, the trail corridor shall be a minimum of fifteen feet in width as measured from the adjacent back of curb. The additional portion of the corridor that is outside of the street right-of-way and that is a minimum of five feet in width shall be credited as lands meeting the parkland dedication requirements of Section 2.8.5, Parkland Calculation. Trails shall be a minimum of eight feet in width. Narrower trails will not count as credit towards parkland requirements. Trail surface material shall follow the requirements of the Town of Horizon City's Park Development Standards. The Town may elect to contribute to the cost of the trail if a width wider than eight feet is deemed appropriate for that specific location;

e. Public access points to the corridor shall be provided at regular intervals. The linear areas adjacent to the corridor shall have open space, street ROW, or other opportunities for immediate and safe ingress/egress along at least seventy-five percent of the corridor length on one side or the other;

f. A zone that is a minimum of five feet wide along each side of the trail shall be improved with a natural non-irrigated landscape treatment, following guidelines contained in the park facilities standards referenced in Section 2.8.7, Standards for Dedicated Parkland.

g. Trails may be built on power lines or other utility corridors, but in cases with corridor lands whose ownership is not fully transferable to the Town, only the lands under built trails and those improved areas meeting the requirements of this subsection will count towards the parkland dedication requirements of this chapter. In such cases, the easement holder or right-of-way owner must provide legal acceptance allowing the trail to be built with free public access provided in perpetuity;

h. Trail standards in this title and in the Design Standards for Construction Manual may be modified by the City Council based upon the recommendation of the Parks and Recreation Manager;

i. Trail corridor lighting is not required for earthen trails or for corridors located within public right-of-way where street lighting is provided. In all other cases, the Parks and Recreation Manager may require lighting in accordance with the Park Facilities Standards, the Design Standards for Construction Manual, and applicable Dark Skies requirements.

4. Open space lands and arroyos—types of land that are noted as areas that should be preserved in the Town of Horizon City Parks and Open Space Master Plan, such as natural arroyos, may be used to meet the land dedication requirements of this chapter:

a. For purposes of this subsection, the area open space to be used in applying for the reduction shall be the acreage that is deemed acceptable for preservation by the Parks and Recreation Manager and approved by the City Council;

b. Open space land will not be required to meet the minimum development standards of Section 2.8.7, Standards for Dedicated Parkland.

c. One acre of open space dedication will count as one-half of an acre of required parkland dedication;

d. Other open space lands, such as arroyos, that exceed the parkland requirements of this chapter, may be accepted by the Town of Horizon City. The Town of Horizon City will assume maintenance of these areas.

2.8.6 Park Service Areas

Parkland obligations shall be administered according to the Park service areas established by the Town Parks Master Plan and Park Facilities Standards.

2.8.7 Standards for Dedicated Parkland

1. Dedicated parkland shall:

A. Be suitable for recreational use;

B. Be accessible by public street;

C. Comply with Town Park Facilities Standards;

D. Be accepted by the Town.

2. Standards for deeded parkland:

A. General Characteristics. Parkland, deeded to the city as provided in this chapter, shall meet the standards set forth below and in the Construction Design Manual:

1. The parkland shall be located in a location near the center of the subdivision or subdivisions that it serves, with the expressed goal that the park is no further than one-quarter mile measured by walking distance from any residence within the subdivision that it serves;

2. Where the subdivision is an initial phase of multiple phases, the park may be located so that it is accessible to the future phases, provided that the park meets the requirements of subsection (A)(1) above;

3. Parklands submitted for dedication shall be located so that users are not required to cross arterial roads to access the park site from within the subdivision, and shall not abut an arterial except in the following circumstances:

a. Parks over twelve acres may abut an arterial on one side; or

b. The arterial has no more than four lanes and has on-street parking; or

c. Parks permitted in subsection (B)(4)(a) (Alternate Park Type Table).

4. If the park is one acre or larger, the entire boundary of the parkland shall abut either a public or private street, dedicated open space or arroyo. Parks of less than one acre shall abut a public or private street, dedicated open space or arroyo on at least two sides. Buildings on lots that have frontage on streets that abut the park shall face the park. Residential lots may abut parkland provided that the subdivider incorporates the following standards:

a. Pedestrian connectivity between the parkland and adjacent lots is provided,

b. That a front build-to line, in accordance with the zoning ordinance, is delineated on the plat so that residential structures face the park, and

c. The park site shall share at least one boundary line with a public or private street;

5. The parkland should, when possible, be located adjacent to school sites, ponding areas, or public open space to facilitate shared facilities;

6. When parkland is deeded to the city as required by this title, the area of the park shall be calculated from the nearest property line or street right-of-way line, and not from the existing or proposed curb line of an adjacent street, unless park features are incorporated into the parkway, subject to an affirmative recommendation by the Parks and Recreation Manager and approval by the Planning and Zoning Commission. Sidewalks and signs shall not count as park features that allow the inclusion of the parkway area as part of the park area calculation; and

7. Where possible, and as approved by the director of the parks and recreation department, parkland shall be designed and located within a subdivision to allow for an extension or connection to a public park or other public recreational facility within an abutting subdivision.

B. Minimum improvements for lands to be dedicated as parkland. Parkland, deeded to the city, shall meet the following minimum improvements described by this subsection.

1. The subdivider shall indicate the proposed parkland improvement(s) within the subdivision improvement plans as required in Section 5 Subdivision Plat Design Standards

2. Construction of the required minimum parkland improvement(s) shall be in accordance with the approved subdivision improvement plans and shall be completely installed and constructed by the subdivider within the time period specified for construction of subdivision improvements in this title.

3. An improved park shall, at a minimum, include the following:

a. Paving frontage, curbing, and gutter for all street frontages abutting the outside perimeter of the parkland;

b. Utility (water, sanitary sewer and electricity) extensions to the perimeter of the park at a location indicated by the Parks and Recreation Manager and that are consistent with published EPWU rules;

c. An accessible route shall be installed per the Texas Accessibility Standards (TAS) on all street frontages abutting the outside perimeter of the parkland of a minimum width and construction to provide accessibility to individuals with disabilities as provided by the Texas Accessibility Standards (TAS). The Parks and Recreation Manager shall approve the sidewalk alignment and width;

d. Grading, automatic irrigation and turf within the parkland boundaries shall be installed prior to the acceptance of the proposed parkland submittal. The Parks and Recreation Manager shall approve the design and installation. The City Council may, upon an affirmative recommendation from the Parks and Recreation Manager and Planning and Zoning Commission, allow parkland to remain undisturbed in its natural state;

e. One age-appropriate play structure unit entirely covered by a metal shade canopy, for either ages two—five years or ages five—twelve years, with a minimum fifty-foot by fifty-foot user zone, from an approved park department list of acceptable alternatives, including an appropriate safety surface that meets industry requirements. If a play structure already exists within a dedicated park within one-fourth mile, other comparable amenities entirely covered by a metal shade canopy of comparable size may be provided such as basketball courts, outdoor exercise stations, splash pads, or picnic tables.

f. A minimum of two accessible shaded picnic tables, or four benches or a combination of benches and tables, per acre on concrete pads;

g. A minimum of one trash can per acre on a concrete pad;

h. Pedestrian-oriented perimeter lighting along adjacent public and private street rights-of-way and one light at the playground or focal point of the park;

i. Where open space lands to be left in an undisturbed state are accepted as required parklands, grading, automatic irrigation and turf establishment requirements shall be waived;

j. Standards. Park standards required are included in the Park Development Standard Manual.

i. Facilities and improvements provided by a subdivider on land dedicated as parkland shall be designed and installed to meet the minimum standards of this chapter, the Construction Design Manual and the parks and recreation division as established in the park's facilities standards, a copy of which is maintained by the parks and recreation division. The parks facilities standards shall be approved by the Planning and Zoning Commission and the City Council. The parks facilities standards may be revised as necessary; however, each change shall be approved by the Planning and Zoning Commission and the City Council.

ii. Facilities and improvements of a park developed for and owned by the city, regardless of whether the project is developed through Town of Horizon City Engineering and Capital Construction or the project is developer-generated, shall be designed and installed to meet the minimum standards of the following, or as otherwise approved by the Parks and Recreation Manager, in accordance with related federal, national, state, or local codes, including but not limited to the following:

1. International Play Equipment Manufacturer's Association (IPEMA);

2. Consumer Product Safety Commission (CPSC) Handbook for Public Safety;

3. American Society for Testing and Materials (ASTM);

4.Accessibility Standards for Play Areas through the ADA Accessibility Guidelines (ADAAG);

5. Illuminating Engineering Society of North America (IESNA RP-6-01);

6.Sports Turf Management Association (STMA);

7.American Society for Testing and Materials (ASTM F08).

k. Street trees shall be provided in the parkway abutting the park at twenty-foot intervals. If the park does not abut street ROW on all sides, in addition to the street trees, shade trees shall be provided at a minimum of ten trees per one-fourth acre.

4. The subdivider shall be required to submit development construction plans that conform to this title, the SDM and the parks and recreation department design, construction and specification standards. The parks and recreation department will review the construction documents for compliance with city park construction requirements. The developer must agree to standard city construction inspections of the park improvements.

C. Exceptions. For purposes of this chapter, off-site dedications accepted pursuant to Section 2.8.3.1 Off-site parkland dedication. Off-site Parkland Dedication shall not be required to satisfy the requirements of subsection (B)(3) of this section at the time of acceptance of the deed by the city. The city shall require the approval of a development agreement as a condition of acceptance of an off-site dedication, requiring such improvements within two years of the recording of the first subdivision plat within the development by the property owner who deeded the parkland, or a subsequent purchaser.

2.8.8 Fee in Lieu of Dedication

The Town may require a fee in lieu of dedication where:

A. The required parkland is insufficient to create a functional park;

B. Existing park facilities adequately serve the development;

C. The needs of the development are better served through acquisition or improvement of parks elsewhere within the Park service area;

D. The proposed parkland does not comply with adopted standards.

E. When Applicable.

1. Residential Subdivisions. The city may require a cash payment in lieu of parkland dedication under the following circumstances:

a. When an area of parkland less than one acre is required to be dedicated, or less than two acres if there is an existing park within one-half mile, and upon the recommendation of the Parks and Recreation Manager and the Planning and Zoning Commission;

b. Where the Parks and Recreation Manager determines that the park needs of the subdivision would be better served by developing other parks in the same park zone;

c. In instances where the parkland to be dedicated does not meet the standards set forth in this chapter;

d. In instances where the required parkland dedication meets or exceeds two acres, the Planning and Zoning Commission, upon the recommendation of the director of parks and recreation, may require a reduction in land dedication of up to twenty-five percent and payment of the balance of the required dedication in improvements to the site or in fees in lieu of land dedication.

e. When the city accepts a combination of the following: parkland dedication, cash payment in lieu of land dedication, or bonus reductions received pursuant to Section 2.8.12, Providing Private Park Facilities to Satisfy Required Parkland Dedication or Fee Requirements.

2. Nonresidential Subdivisions. The subdivider shall be required to pay fees in lieu of the dedication of parkland dedication for all nonresidential subdivision applications. Where the Parks and Recreation Manager recommends that the park needs of that park zone would be better served by preserving existing open space land on the property or by developing other parks in that park zone, the following alternatives may be used.

a. Where open space lands that meet the types noted for preservation in the Town of Horizon City Open Space Master Plan occur in the nonresidential subdivision, the city may accept a dedication of open space lands in lieu of, or in combination with the payment of park fees. The value of the land to be dedicated shall be equivalent to the fee amount required for that subdivision, and the proposed dedication must be at least one acre in size.

b. An amount equal to the fee required for the non-residential subdivision may be used by the subdivider to provide additional park facilities in an existing or proposed park within the existing park zone. The types of facilities to be provided and the proposed location for those facilities shall be subject to approval by the director of parks and recreation.

3. Fee Calculation. Where the city requires or accepts payment of cash in lieu of the dedication of parkland, such payment shall be equivalent to the following:

1. Residential Subdivisions.

a. Single-family and two-family: one thousand four hundred dollars per dwelling unit;

b. Multifamily: eight hundred dollars per dwelling unit.

2. Nonresidential Subdivisions. One thousand dollars per gross acre multiplied by the number of acres rounded to two decimal places, with a minimum of three hundred and thirty-three dollars for a subdivision of less than one-third acre.

4. These fees shall be indexed to any increase in the National Consumer Price Index (CPI) and adjusted no less frequently than every three years.

a. Form Tendered. A cash payment made pursuant to this chapter shall be tendered in the form of a cashier's check, payable to the Town of Horizon City. The cashier's check shall be submitted to the Planning Director and shall accompany the recording plat submission.

b. Refunds. Under no circumstance shall fees received in lieu of parkland dedication required by this chapter be refunded to a subdivider, except as provided in Section 2.8.15, Refunds.

c. In a subdivision where the density calculation for parkland results in a park site of less than one acre and the developer has paid fees in lieu of dedicating parkland, should the developer,

within a period of three years following the recording of the initial subdivision, submit a plat for development of land contiguous to the land in which parkland fees were paid, the city shall have the option of refunding to the developer an amount equivalent to those parkland fees paid for the previous development and calculating the parkland requirements for the new subdivision plat based on the density for both the previously submitted subdivision plat and the new subdivision plat. The calculation shall be based upon the parkland dedication requirements in effect at the time of each subdivision plat submittal. For purposes of this subsection, a refund shall be made from park fees collected and available from within the applicable park zone for each subdivision.

2.8.9 Park Development Improvement Fees

The Town may require Park Development Improvement Fees for acquisition, development, construction, rehabilitation, expansion, or improvement of public park and recreational facilities serving the applicable park service area through a Park Development Participation Agreement subject to City Council approval.

2.8.10 Parkland Credits

Developers shall be entitled to credit for:

A. Land dedicated and accepted by the Town;

B. Public park improvements accepted by the Town;

C. Improvements to existing public parks serving the applicable Park service area.

2.8.11 Private Park Credits for Multifamily Development

A. Multifamily developments may receive parkland dedication credits and fee reductions for private recreational facilities provided within the development.

B. Eligible private recreational facilities may include:

1. Community parks;
2. Recreational open space;
3. Sports courts;
4. Swimming pools;
5. Clubhouses;
6. Playground facilities;
7. Trail systems;
8. Recreational amenities approved by the Town.

C. To qualify for credit:

1. Facilities shall be permanently available to residents of the development;
2. Facilities shall comply with the Town Park Facilities Standards;

3. Facilities shall be privately owned and maintained;
4. Facilities shall be protected through recorded covenants, easements, or maintenance agreements acceptable to the Town.

D. The Planning and Zoning Commission may recommend, and the Town Council may approve fee credits up to one hundred percent (100%) of otherwise required park fees based upon the recreational value of the facilities provided.

2.8.12 Providing Private Park Facilities to Satisfy Required Parkland Dedication or Fee Requirements

A. Private Park Facilities. Where park areas and recreational facilities are to be provided in a proposed single family, duplex, or multifamily development, the required parkland may be satisfied provided that the following criteria are met:

1. Facilities shall be privately owned and maintained by the future residents of the subdivision or by the owner of a rental facility.

2. Private ownership and maintenance of such areas and facilities shall be adequately provided for by recorded written agreement, conveyance, or restrictions;

3.The use of such areas and facilities shall be restricted for park and recreational purposes by a recorded covenant, which runs with the land in favor of the future owners of property and cannot be amended or removed without the consent of the city council;

4.The areas, improvements and facilities wishing to receive credit shall be reasonably similar or comparable to what would be required to meet public park and recreational needs of this chapter.

B. Recreational Facilities. No credit shall be given for recreational facilities other than the land upon which those facilities are located as defined in this chapter.

C. Size of Park Areas. Open turf or play areas and/or park recreational areas may be of any size provided that a total of one quarter (¼) acre total functional park space to meet the recreational needs of residents is provided in conformance to the Park Standards Manual. Functional park space areas may include parks, child play areas, multi-purpose courts, and other similar facilities. However, swimming pools, community, recreational or exercise buildings, and similar facilities shall not be eligible for credit. Any open turf or play area used for parkland dedication credit shall be commonly accessible by all residents and not be used in calculating minimum landscaping requirements in Chapter 3 Building Regulations, any required zoning condition such as a landscaped buffer, be part of any required set back, any yard (front, side, rear) for any single-family home requirement placed as a condition to detailed site plan approval, or any other building code requirement.

D. Credit Calculation.

1. One acre of private parkland shall count as credit for one-half acre of the required parkland dedication. The parkland requirement may be satisfied in its entirety by providing private parkland which meets the criteria in this section.

2. If the required parkland dedication cannot be completely satisfied by providing private parkland, any remaining requirement can be satisfied as follows:

a. Through the dedication of public parkland.

b. Through improvements to existing parkland in the same park service area, provided that if the improvement costs are above $50,000.00 a developer participation agreement is entered into and comply with the provisions of the state statute that governs developer participation agreements or if below $50,000.00, a developer's agreement is entered into.

c. Payment of fees.

E. All private parkland dedication and improvements, improvements to existing parkland, or fees in lieu of dedication, or in combination shall require the approval of the Planning and Zoning Commission upon the affirmative recommendation of the director of parks and recreation.

F. The Parks Manager shall report on the amount of private park land accepted for credit by the Planning and Zoning Commission at the time of plat approval.

2.8.13 Exhibit A

Exhibit A, Parkland Dedication, Fee in Lieu, and Park Development Improvement Fee Schedule, attached hereto and incorporated herein by reference, is adopted as the official administrative schedule for implementation of this Section.

2.8.14 Parkland Fund

A. Fund Established. The city shall establish a special fund for the deposit of all sums paid in lieu of parkland dedication pursuant to this chapter. The city shall account for all sums paid in lieu of parkland dedication with reference to the individual subdivisions involved, and all sums received shall be committed by the city within three years from the subdivision recordation. If an extension is granted for the subdivision recordation or subdivision improvements, the same extension shall apply to the time for commitment of park fees.

B. When Funds are Considered to be Committed. For purposes of this chapter, funds shall be considered committed:

1.When funds are encumbered for expenditure on equipment and materials;

2. When funds are set aside under an earnest money agreement for the purchase of parkland;

3.When funds are to be awarded under a bid in process; (or)

4. When funds encumbered are not expended because of delays because of strikes, court action or any similar impediment which renders it impossible or illegal to spend the money.

C. Time Extensions. Where the sums cannot be committed within the initial three-year time period, the director of the parks and recreation department may request time extensions for expenditure of the sums from the Planning and Zoning Commission in one-year intervals; except that no more than two one-year time extensions may be granted by the Planning and Zoning Commission. The extension request(s) shall be submitted in writing to the Planning Director sixty days prior to the expiration period for sums to be committed by the city and shall include a detailed justification for the extension request(s). If an extension is granted for the subdivision recordation or subdivision improvements, the same extension shall apply to the time for commitment of park fees.

2.8.15 Refunds

Refunds shall be administered in accordance with Texas Local Government Code Chapter 212.

If a developer has proof of payment of fees in lieu of park dedication for an approved subdivision, but the developer subsequently abandons development of the property as shown on the approved subdivision and conveys the property to the City for the sole purpose of use as public open space, the developer is entitled to a full refund at the time of the conveyance.

2.8.16 Appeals

Any person aggrieved by a determination under this Section may appeal to the Town Council.

2.8.17 Administrative Authority

The Planning Director shall administer this Section.

SECTION II. FINDINGS OF FACT

The foregoing recitals are incorporated as findings of fact.

SECTION III. REPEALER

All ordinances, resolutions, or portions thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. SEVERABILITY

Should any section, subsection, sentence, clause, phrase, or provision of this Ordinance be determined invalid, such determination shall not affect the validity of the remaining portions.

SECTION V. PROPER NOTICE AND MEETING

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public and proper notice was given in accordance with Texas Government Code Chapter 551.

SECTION VI. EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2026, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) of the City Council of Horizon City, Texas.

Town of Horizon City

By: _____
Andres Renteria, Mayor

ATTEST:

By: _____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

_____
Sylvia Borunda Firth
City Attorney

APPROVED AS TO CONTENT:

_____
Arturo Rubio
Planning Director

TOWN OF HORIZON CITY, TEXAS

ORDINANCE NO. 0102 AMENDMENT NO. _____

AN ORDINANCE AMENDING CHAPTER 14A ZONING; CHAPTER 4 RESIDENTIAL DISTRICTS OF THE CODE OF ORDINANCES OF THE TOWN OF HORIZON CITY, TEXAS; CREATING A NEW R-4A (SINGLE-FAMILY DWELLING) RESIDENTIAL DISTRICT; ESTABLISHING PURPOSE, APPLICABILITY, PERMITTED USES, ACCESSORY USES, DEVELOPMENT STANDARDS, DESIGN STANDARDS, PARKING REQUIREMENTS, LANDSCAPING REQUIREMENTS, COMPATIBILITY STANDARDS, AND CHANGES TO RELATED REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR PROPER NOTICE AND MEETING; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a proposal was brought forward by staff to and considered by Horizon City Planning and Zoning Commission to amend portions of Ordinance No. 0102 relating to Residential Districts; and

WHEREAS, the Planning and Zoning Commission will consider the staff's proposals at its September 21, 2026, regular meetings; and

WHEREAS, public hearings have been held by the Town Council as required by law; and

WHEREAS, all written and oral protests (if any) submitted against the proposed ordinance change have been reviewed and considered; and

WHEREAS, pursuant to Texas Local Government Code section 51.001, the town has general authority to adopt an ordinance that is for the good government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace, and order and that our physical environment has a direct impact on the chances for happy, prosperous lives for the residents of the Town of Horizon City to adopt this Ordinance and technical code; and

WHEREAS, the City Council finds that residential development creates a demand for a diverse and attainable owner-occupied housing options; and

WHEREAS, the City Council finds that it is necessary and desirable to create a residential zoning district to allow a more flexible design; and

WHEREAS, Texas Local Government Code Chapter 211 authorizes municipalities to adopt and amend zoning Ordinances ; and

WHEREAS, the Town Council desires to adopt a new zoning district regulation modeled after the existing zoning districts;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:

I. ENACTMENT OF AMENDMENTS

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this amendment no. XX to Ordinance no.0102, which regulates zoning within the territorial limits of the Town of Horizon City and related matters, to create and incorporate an R-4A (Single-Family Dwelling) Residential Zoning District in Chapter 14A (Zoning).

Section 401 Districts Established

Subsection 401.1 General

R-4A

Section 402 Purpose.

Subsection 401.2 General

The purpose of these districts is to provide for single-family and two-family duplex detached residential and mobile home development together with churches, recreational facilities, public uses and accessory uses as may be necessary or are normally compatible with residential surroundings. Provide opportunities for attainable owner-occupied housing. Encourage efficient use of residential land and public infrastructure. Promote quality neighborhood design and attractive streetscapes. Provide single-family residential development at densities compatible with the Town's Comprehensive Plan and surrounding uses. Maintain neighborhood character through enhanced development and design standards.

Section 403 Permitted Uses

Subsection 403.1 General

The following uses shall be permitted by right:

A. Single-family detached dwellings;

B. A two-family duplex dwelling (R-4 only)

B. Public parks and open space;

C. Community gardens;

D. Minor Public utility facilities;

E. Governmental facilities;

F. Neighborhood trails and pedestrian facilities.

Section 405 Bulk Regulations

Subsection 405.1 Lot Size Standards

	Min. Lot Areas (square feet)	Min. Average Lot Width (feet)	Min. Lot Depth (feet)
R-1	9,000	60	120
R-2	6,000	50	100
R-3	5,500	45	90
R-4	8,000 for duplexes	50	100
R-4A	**4,500**	**45**	**100**
R-PD	6,000	50	100
R-MH	Unspecified	50	100
Other Permitted Uses	9,000	150	200

Subsection 405.2 Setback Requirements

	Minimum Front Yard	Minimum Side Yard Abutting a Street	Minimum Side Yard	Minimum Rear Yard
R-1	20 feet	15 feet	10 feet	20 feet
R-2, R-3, R-4	20 feet	10 feet	5 feet	20 feet
R-4A	**20 feet**	**10 feet**	**5 feet**	**20 feet**
R-PD	20 feet	10 feet	5 feet	20 feet
R-MH	20-30 feet	15 feet	5 feet	20 feet
Other Permitted Uses	20 feet without parking 45 feet with parking	15 feet	15 feet	20 feet

Subsection 405.3 Dwelling Size Standards

		Square Feet (Minimum)	
R-1	Single-family dwelling	2,000	1 story
		1,500	more than 1 story*
R-2	Single-family dwelling	1,250	1 story
		800	more than 1 story*
R-3	Single-family dwelling	1,000	1 story
		800	more than 1 story*
R-4	Two-family duplex dwelling	1,800	1 story
		900	each unit
R-4A	**Single-family dwelling**	**1,000**	**1 story**
			more than 1 story*
R-PD	Single-family dwelling*	1,000	1 story
		900	2 story provided total is 1,400+
R-MH	Single-family dwelling	728	

SECTION II. ZONING DISTRICT TABLE

The Official Zoning District Table shall be amended to include:

R-4A Single-Family Residential District Minimum Lot Size: 4,500 Square Feet

SECTION III. FINDINGS OF FACT

The recitals contained herein are incorporated as findings of fact.

SECTION IV. REPEALER

All ordinances or portions thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION V. SEVERABILITY

Should any section, subsection, sentence, clause, phrase, or provision of this Ordinance be declared unconstitutional or invalid, the remainder **shall remain in full force and effect.**

SECTION VI. PROPER NOTICE AND MEETING

It is officially found and determined that the meeting at which this Ordinance was adopted was open to the public and public notice was provided in accordance with Texas Government Code Chapter 551.

SECTION VII. EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2026, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) of the City Council of Horizon City, Texas.

Town of Horizon City

By: _____
Andres Renteria, Mayor

ATTEST:

By: _____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

_____
Sylvia Borunda Firth
City Attorney

APPROVED AS TO CONTENT:

_____
Arturo Rubio
Planning Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TOWN OF HORIZON CITY MASTER PLAN FOR PARKS AND OPEN SPACE; ADOPTING THE REVISED PARKS, RECREATION AND OPEN SPACE MASTER PLAN; PROVIDING FINDINGS THAT THE PLAN SUPPORTS THE TOWN'S COMPREHENSIVE PLAN, CAPITAL IMPROVEMENT PROGRAM, PARKLAND DEDICATION REQUIREMENTS, AND LONG-RANGE RECREATIONAL NEEDS; PROVIDING FOR SEVERABILITY, REPEALER, PROPER NOTICE, AND EFFECTIVE DATE; AND DIRECTING THE PLANNING DIRECTOR TO IMPLEMENT THE AMENDED PLAN.

WHEREAS, the Town of Horizon City, Texas (the "Town"), is a home-rule municipality acting pursuant to its Home Rule Charter, the Constitution and laws of the State of Texas, and its lawful municipal planning authority; and

WHEREAS, the Town has previously adopted a Master Plan for Parks and Open Space to guide the acquisition, development, improvement, maintenance, and long-range planning of parks, recreational facilities, trails, open spaces, and related public amenities; and

WHEREAS, the Town's Comprehensive and Strategic Plan recognizes parks and open space as essential components of the Town's physical development, quality of life, and public infrastructure, community character, and long-range planning; and

WHEREAS, the Town Council finds that population growth, residential development, changing recreational needs, capital improvement priorities, and the need for an equitable and coordinated system of parks and recreational facilities warrant periodic review and amendment of the Town's parks and open space planning policies; and

WHEREAS, the Town has caused the existing Master Plan for Parks and Open Space to be reviewed and has prepared a revised **Parks, Recreation and Open Space Master Plan** to establish updated goals, policies, standards, service areas, facility needs, capital priorities, implementation strategies, and other recommendations for the Town's parks, recreation, trails, and open-space system; and

WHEREAS, the revised Parks, Recreation and Open Space Master Plan is intended to serve as a long-range policy and implementation guide and to coordinate future park improvements with anticipated growth, development, the Town's Comprehensive Plan, Capital Improvement Program, subdivision regulations, parkland dedication requirements, and other applicable plans and policies; and

WHEREAS, the Town Council finds that maintaining an adopted parks, recreation and open-space master plan provides a rational planning basis for identifying existing and future recreational needs, evaluating levels of service, establishing park service areas, prioritizing capital improvements, and coordinating public and private investment in recreational facilities; and

WHEREAS, the Town Council further finds that the revised Plan provides planning support for the Town's parkland dedication and fee-in-lieu requirements by identifying existing facilities, future needs, service areas, capital improvements, and recreational demands associated with existing and anticipated development; and

WHEREAS, the Town Council intends that any application of parkland dedication, fee-in-lieu, park development, or related development requirements shall remain subject to the Town's duly adopted subdivision regulations and applicable state law, and nothing in this Ordinance or the revised Plan shall independently impose a development fee or dedication requirement not otherwise authorized by law; and

WHEREAS, the Town Council intends that any application of parkland dedication, fee-in-lieu park development, or related development requirements shall remain subject to the Town's duly adopted subdivision regulations and applicable state law, and nothing in this Ordinance or the revised Plan shall independently impose a development fee or dedication requirement not otherwise authorized by law; and

WHEREAS, the Town Council intends that any application of parkland dedication, fee-in-lieu,

WHEREAS, the Planning and Zoning Commission reviewed the proposed amendment to the Master Plan for Parks and Open Space and, following consideration thereof, made its recommendation to the Town Council; and

WHEREAS, the Planning and Zoning Commission reviewed the proposed amendment to the Master Plan for Parks and Open Space and, following consideration thereof, made its recommendation to the Town Council; and

WHEREAS, after notice as required by applicable law and Town regulations, the Town Council conducted a public hearing at which interested persons were provided an opportunity to provide testimony and written evidence concerning the proposed amendment; and

WHEREAS, after considering the revised Plan, the recommendation of the Planning and Zoning Commission, public testimony, Town planning objectives, and the long-range recreational needs of the community, the Town Council finds that adoption of the revised Parks, Recreation and Open Space Master Plan promotes the public health, safety, welfare, and orderly development of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:

SECTION 2. AMENDMENT OF MASTER PLAN FOR PARKS AND OPEN SPACE

The Town of Horizon City Master Plan for Parks and Open Space is hereby amended and updated by the adoption of the revised **Town of Horizon City Parks, Recreation and Open Space Master Plan**, attached to this Ordinance as **Exhibit "A"** and incorporated herein by reference for all purposes.

Upon the effective date of this Ordinance, Exhibit "A" shall constitute the Town's officially adopted Parks, Recreation and Open Space Master Plan and shall supersede prior versions of the Master Plan for Parks and Open Space to the extent of any conflict or inconsistency.

SECTION 3. RELATIONSHIP TO THE COMPREHENSIVE PLAN

The Town Council finds that the Parks, Recreation and Open Space Master Plan is consistent with and supports the goals, policies, growth strategies, land-use framework, infrastructure planning, community facilities planning, and quality-of-life objectives contained in the Town's adopted Comprehensive Plan.

The Parks, Recreation and Open Space Master Plan shall be used as a supporting functional plan in the interpretation, implementation, and future amendment of the Town's Comprehensive Plan as it relates to parks, recreation, trails, open space, public facilities, and related community infrastructure.

In the event of an inconsistency between the Parks, Recreation and Open Space Master Plan and the Comprehensive Plan, the Town Council shall determine the appropriate policy interpretation and may amend either plan as authorized by law.

SECTION 4. CAPITAL IMPROVEMENT PROGRAM

The Town Council finds that the Parks, Recreation and Open Space Master Plan provides a long-range planning framework for the Town's Capital Improvement Program as it relates to parks, recreation, trails, open space, and associated facilities.

The priorities, projects, cost estimates, schedules, and recommendations identified in the Plan may be considered by the Town Council during preparation and adoption of annual budgets, multiyear capital improvement programs, grant applications, bond programs, development agreements, and other funding decisions.

Identification of a project within the Plan does not, by itself, appropriate funds or obligate the Town to construct, acquire, or fund a particular project. All expenditure remains subject to appropriation and approval by the Town Council.

SECTION 5. PARKLAND DEDICATION AND DEVELOPMENT REQUIREMENTS

The Town Council finds that the Parks, Recreation and Open Space Master Plan provides planning information relevant to administration of the Town's parkland dedication requirements, including identification of existing and future park needs, recreational demand, park service areas, facility needs, and capital improvements.

The Planning Director and other appropriate Town officials may utilize the Plan when administering the parkland dedication and fee-in-lieu provisions contained in the Town's Subdivision Ordinance, including evaluation of proposed parkland, park locations, recreational facilities, service areas, credits, capital improvements, and other matters authorized under the Town's duly adopted regulations.

Nothing contained in this section shall be interpreted as independently establishing a parkland dedication, fee, exaction, or development requirement. All such requirements shall be imposed only pursuant to the Town's applicable ordinances and in accordance with Texas law.

SECTION 6. PARK SERVICE AREAS

The park service areas, service standards, facility classifications, recreational needs, and related planning criteria identified in the Parks, Recreation and Open Space Master Plan are hereby recognized as the Town's adopted planning framework for evaluating the geographic distribution and long-range provision of parks and recreational facilities.

Park service areas may be utilized for planning purposes, including identification of underserved areas, evaluation of proposed parkland dedication, prioritization of capital improvements, planning for future park acquisition, and coordination of recreational facilities with new development.

The designation of a park service area does not create an entitlement to a particular improvement or require expenditure of Town funds unless separately authorized by the Town Council.

SECTION 7. LONG-RANGE RECREATIONAL NEEDS

The Town Council finds that implementation of the Parks, Recreation and Open Space Master Plan will assist the Town in addressing long-range recreational needs by:

1. Identifying existing and projected park and recreational facility needs;
2. Establishing appropriate classifications, service areas, and planning standards for parks and recreational facilities;
3. Identifying opportunities for trails, pedestrian connections, greenways, and open-space preservation;
4. Coordinating park improvements with residential growth and development;
5. Providing a framework for prioritizing capital improvements and pursuing grants and other funding opportunities;
6. Supporting equitable geographic distribution and accessibility of recreational facilities;
7. Coordinating public park improvements with appropriate private recreational facilities and other community resources; and
8. Providing a basis for periodic evaluation and amendment of the Town's parks and recreation policies as community conditions and recreational needs change.

SECTION 8. IMPLEMENTATION AND ADMINISTRATION

The Planning Director is hereby directed and authorized to implement and administer the Parks, Recreation and Open Space Master Plan in coordination with the Town Administrator, Public Works Department, Finance Department, Building Services, and other Town departments and officials, as appropriate.

The Planning Director shall maintain the official copy of the Plan and shall incorporate, as appropriate, into the Town's development review, subdivision review, capital planning, comprehensive planning, grant preparation, and long-range planning processes.

The Planning Director may recommend administrative updates, technical corrections, mapping updates, implementation schedules, capital priorities, or substantive amendments to the Plan when necessary to respond to changing conditions, development patterns, population growth, recreational needs, or changes in applicable law.

Any substantive amendment requiring legislative action shall be presented to the Planning and Zoning Commission and Town Council in accordance with applicable law and Town procedures.

SECTION 9. PERIODIC REVIEW

The Town shall periodically review the Parks, Recreation and Open Space Master Plan to evaluate implementation progress, changing demographic conditions, development patterns, facility needs, capital priorities, and applicable funding or grant requirements.

Nothing herein prevents the Town Council from reviewing or amending the Plan at an earlier time when determined to be in the public interest.

SECTION 10. NO CREATION OF PRIVATE RIGHTS

The Parks, Recreation and Open Space Master Plan is a policy and planning document. Except where a requirement is separately established by ordinance or other applicable law, neither the Plan nor this Ordinance shall be construed to create a private cause of action, vested right, development entitlement, contractual obligation, or obligation requiring the Town to acquire property, construct a facility, or expend public funds.

SECTION 11. SEVERABILITY

Should any section, subsection, sentence, clause, phrase, or provision of this Ordinance or the Plan adopted hereby be held unconstitutional, illegal, invalid, or unenforceable by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares that it would have adopted the remaining portions notwithstanding such invalidity.

SECTION 12. REPEALER

All ordinances, resolutions, policies, plans, or portions thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict only.

Except as expressly amended or superseded by this Ordinance, all other ordinances, regulations, plans, and policies of the Town shall remain in full force and effect.

SECTION 13. PROPER NOTICE AND OPEN MEETINGS

It is hereby officially found and determined that the meeting at which this Ordinance was considered and adopted was open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act and other applicable law.

The Town Council further finds that all notices, hearings, reviews, and recommendations required for adoption of this amendment were provided or conducted in accordance with applicable law and Town requirements.

SECTION 14. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its passage, approval, and adoption, and upon completion of any publication or other procedural requirement required by the Town Charter or applicable law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS, ON THIS THE ____ DAY OF _____2026.

TOWN OF HORIZON CITY

_____
Andres Renteria, Mayor

ATTEST:

_____
Elvia Schuller
City Clerk

APPROVED AS TO FORM:

_____
Sylvia Borunda Firth
City Attorney

APPROVED AS TO CONTENT:

_____
Arturo Rubio
Planning Director

Exhibit "A"

Exhibit "A" is incorporated into and adopted by Ordinance No. _____.

PROCLAMATION

A Purple Heart City

November 10, 2026

WHEREAS, the Town of Horizon City, Texas holds the veterans of all branches of the military who are residents of the community in high esteem;

WHEREAS, the El Paso County metropolitan area has a large, highly decorated veteran population including many Purple Heart recipients;

WHEREAS, the Purple Heart was initially created as the Badge of Military Merit by General George Washington in 1782 and is the oldest military decoration in present use;

WHEREAS, the Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the United States Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America;

WHEREAS, the mission of the Military Order of the Purple Heart is to foster an environment of good will amount the combat-wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly – make sure we never forget; and

WHEREAS, the Town of Horizon City appreciates the sacrifices our Purple Heart recipients made in defending our freedoms and believes it is important that we acknowledge them for their courage and show them the honor and support they have earned.

NOW, THEREFORE, I, Andres Renteria, Mayor of the Town of Horizon City, Texas, do hereby proclaim the Town of Horizon City as

A PURPLE HEART CITY

and encourage the citizens of the Town of Horizon City to show their appreciation for the sacrifices the Purple Heart recipients have made in defending our freedoms, to acknowledge their courage and to show them the honor and lend them the support they have earned.

In witness whereof, I have hereunto placed my hand and caused the seal of the Town of Horizon City to be affixed the 10th day of November 2026.

_____

Andres Renteria, Mayor